

# Statement of Environmental Effects

## Grafton Hospital Redevelopment Stage 1 – Refurbishment of the Old Gaol Site



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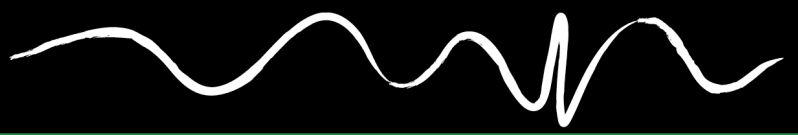
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# Table of Contents

|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>Introduction</b>   | <b>1</b>  |
| 1.1       | Preamble  | 1         |
| 1.2       | Planning and Environmental Approvals                          | 1         |
| 1.3       | Structure and Scope of the SEE                                | 1         |
| 1.4       | Further Information   | 2         |
| <b>2.</b> | <b>The Site and its Context</b>                               | <b>3</b>  |
| 2.1       | Cadastral Description   | 3         |
| 2.2       | Site Analysis   | 3         |
| <b>3.</b> | <b>The Development Proposal</b>                               | <b>8</b>  |
| 3.1       | General Description of the Proposal                           | 8         |
| 3.2       | Refurbishment of Former Grafton Correctional Centre           | 9         |
| 3.2.1     | Demolition/ Refurbishment Works                               | 10        |
| 3.3       | Enabling Works at Grafton Base Hospital and Within the Street | 10        |
| 3.4       | Infrastructure  | 11        |
| 3.4.1     | Electricity   | 11        |
| 3.4.2     | Stormwater  | 11        |
| 3.4.3     | Water   | 11        |
| 3.4.4     | Sewer   | 11        |
| 3.4.5     | Communications  | 11        |
| 3.4.6     | Fire  | 11        |
| 3.4.7     | Gas Supply  | 12        |
| 3.4.8     | Mechanical Services   | 12        |
| 3.5       | Key Issues  | 12        |
| 3.5.1     | Heritage  | 12        |
| 3.5.2     | Flooding  | 12        |
| <b>4.</b> | <b>Statutory Planning Considerations</b>                      | <b>13</b> |
| 4.1       | Environmental Planning and Assessment Act 1979                | 13        |
| 4.1.1     | Crown Development   | 13        |
| 4.1.2     | Integrated Development  | 13        |
| 4.1.3     | Other Approvals   | 13        |
| 4.1.4     | Other Referrals   | 13        |
| 4.2       | Clarence Valley Local Environmental Plan 2011                 | 14        |
| 4.2.1     | Proposed Use  | 14        |
| 4.2.2     | Site Zoning and Permissibility                                | 14        |
| 4.2.3     | CVLEP 2011 Requirements                                       | 16        |
| 4.3       | Clarence Valley Council Development Control Plan 2011 (DCP)   | 18        |
| 4.3.1     | Part C General Development Controls                           | 18        |
| 4.3.2     | Part D Floodplain Management Controls                         | 19        |

|           |   |           |
|-----------|---|-----------|
| 4.3.3     | Part E Heritage Conservation  | 19        |
| 4.3.4     | Part F Parking and Vehicular Access Controls  | 19        |
| 4.3.5     | Part G Sustainable Water Controls   | 19        |
| 4.3.6     | Part H Erosion and Sediment Controls  | 19        |
| 4.4       | State Environmental Planning Policies   | 19        |
| 4.4.1     | State Environmental Planning Policy (Transport and Infrastructure) 2021                       | 19        |
| 4.4.2     | State Environmental Planning Policy (Biodiversity and Conservation) 2021                      | 20        |
| 4.4.3     | State Environmental Planning Policy (Planning Systems) 2021                                   | 20        |
| 4.4.4     | State Environmental Planning Policy (Resilience and Hazards) 2021                             | 20        |
| 4.4.5     | State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) | 21        |
| 4.5       | Planning Agreements   | 22        |
| 4.6       | Developer Contributions Plan  | 22        |
| 4.7       | Environmental Planning and Assessment Regulation 2021   | 23        |
| <b>5.</b> | <b>Environmental Impact Assessment</b>  | <b>24</b> |
| 5.1       | Biodiversity  | 24        |
| 5.1.1     | Preliminary Tree Assessment   | 24        |
| 5.1.2     | Arboricultural Impact Assessment  | 24        |
| 5.1.3     | Threatened Species  | 25        |
| 5.2       | Soils   | 26        |
| 5.2.1     | Geotechnical Investigations   | 26        |
| 5.2.2     | Existing Soil Conditions and Subsurface Materials   | 27        |
| 5.2.3     | Acid Sulfate Soils (ASS)  | 28        |
| 5.2.4     | Earthworks  | 29        |
| 5.2.5     | Erosion and Sedimentation Control   | 29        |
| 5.3       | Land Contamination  | 29        |
| 5.3.1     | Site, Topography and Drainage   | 29        |
| 5.3.2     | Site History  | 30        |
| 5.3.3     | Contamination Assessment  | 30        |
| 5.3.4     | Preliminary Stage 2 Assessment  | 31        |
| 5.3.5     | Stage 2 Site Contamination Assessment   | 31        |
| 5.4       | Hazardous Materials and Waste   | 33        |
| 5.4.1     | Former Grafton Gaol Site  | 33        |
| 5.5       | Stormwater and Flooding   | 33        |
| 5.5.1     | Stormwater  | 34        |
| 5.5.2     | Flooding  | 34        |
| 5.6       | Traffic, Access & Parking   | 38        |
| 5.6.1     | Existing Environment  | 38        |
| 5.6.2     | Impact Assessment   | 39        |
| 5.6.3     | Conclusion  | 40        |
| 5.7       | Aboriginal Heritage   | 40        |

|        |   |    |
|--------|---|----|
| 5.7.1  | Impact Assessment   | 41 |
| 5.8    | Non-Aboriginal (Historic) Heritage                            | 42 |
| 5.8.1  | Preliminary Heritage Advice                                   | 42 |
| 5.8.2  | Statement of Heritage Impact                                  | 42 |
| 5.9    | Noise and Vibration   | 45 |
| 5.9.1  | Surrounding Land Uses and Existing Noise Environment          | 45 |
| 5.9.2  | Construction Noise  | 45 |
| 5.9.3  | Construction Noise Impacts                                    | 45 |
| 5.9.4  | Construction Hours  | 46 |
| 5.9.5  | Operational Noise   | 46 |
| 5.9.6  | Conclusion  | 46 |
| 5.10   | Visual Impact   | 47 |
| 5.10.1 | Existing Environment  | 47 |
| 5.10.2 | Potential Impacts   | 47 |
| 5.11   | Services  | 48 |
| 5.11.1 | Electrical  | 48 |
| 5.11.2 | Communications  | 48 |
| 5.11.3 | Sewer   | 49 |
| 5.11.4 | Water   | 49 |
| 5.11.5 | Gas Supply  | 49 |
| 5.11.6 | Fire Requirements   | 49 |
| 5.11.7 | Mechanical Services   | 50 |
| 5.12   | Waste Management  | 50 |
| 5.12.1 | Safeguards and Mitigation Measures                            | 50 |
| 5.13   | Building Code of Australia and Disability Discrimination Act  | 51 |
| 5.14   | Development and Cumulative Impacts                            | 51 |
| 5.15   | Ecologically Sustainable Development                          | 51 |
| 5.15.1 | Precautionary Principle                                       | 52 |
| 5.15.2 | Intergenerational Equity                                      | 52 |
| 5.15.3 | Conservation of Biological Diversity and Ecological Integrity | 52 |
| 5.15.4 | Improved Valuation, Pricing, and Incentive Mechanisms         | 52 |
| 5.16   | Impacts of that Development                                   | 53 |
| 5.17   | Suitability of the Site                                       | 53 |
| 5.18   | DA Notification   | 53 |
| 5.19   | Public Interest   | 53 |
| 5.20   | Designated Development  | 53 |
| 5.21   | Integrated Development  | 53 |

## **6. Conclusion** **55**

## **Illustrations**

|                  |               |   |
|------------------|---------------|---|
| Illustration 2.1 | Site Location | 5 |
| Illustration 2.2 | Site Plan     | 6 |
| Illustration 2.3 | Site Analysis | 7 |



## Tables

|                  |  |           |
|------------------|--|-----------|
| <u>Table 4.1</u> | <u>Clarence Valley Local Environment Plan 2011</u>                                     | <u>16</u> |
| <u>Table 5.1</u> | <u>Summary of Materials (source: Preliminary Geotechnical assessment, RGS Pty Ltd)</u> | <u>28</u> |

## Figures

|                   |  |           |
|-------------------|--|-----------|
| <u>Figure 3.1</u> | <u>3D Isometric View (source: Woods Bagot, Architectural Drawings 15.09.2023)</u>  | <u>8</u>  |
| <u>Figure 3.2</u> | <u>Proposed Site Plan (source: Woods Bagot, Architectural Drawings 15.09.2023)</u> | <u>9</u>  |
| <u>Figure 3.3</u> | <u>Workers Accommodation (not part of this application)</u>                        | <u>10</u> |
| <u>Figure 4.1</u> | <u>LEP Zoning (source: NSW Planning Portal)</u>                                    | <u>15</u> |
| <u>Figure 5.1</u> | <u>Site map of subject trees (Source: Civica Pty Ltd, September 2023)</u>          | <u>25</u> |
| <u>Figure 5.2</u> | <u>Borehole Location Plan (BH1, BH2, BH3) – Gaol Site</u>                          | <u>27</u> |
| <u>Figure 5.3</u> | <u>Borehole Location Plan for Preliminary Stage 2 Assessment</u>                   | <u>31</u> |
| <u>Figure 5.4</u> | <u>Borehole and Sample Location Plan for Stage 2 Assessment</u>                    | <u>32</u> |
| <u>Figure 5.5</u> | <u>Extract from Flood Planning Map (Source: NSW Legislation)</u>                   | <u>35</u> |
| <u>Figure 5.6</u> | <u>1 in 100 year flood event map (source: CVC Intramaps, Acor September 2023)</u>  | <u>36</u> |
| <u>Figure 5.7</u> | <u>Updated 1% AEP Flood mapping (source: BMT, Acor September 2023)</u>             | <u>36</u> |

## Appendices

|  |
|--|
| <u>Appendix A Architectural Plans</u>                                  |
| <u>Appendix B ICT Link Plans</u>                                       |
| <u>Appendix C Statement of Heritage Impact and Section 60 Approval</u> |
| <u>Appendix D Aboriginal Cultural Heritage Assessment</u>              |
| <u>Appendix E Stormwater</u>   |
| <u>Appendix F Traffic Impact Assessment</u>                            |
| <u>Appendix G Civil Design Package</u>                                 |
| <u>Appendix H Estimated Development Cost</u>                           |
| <u>Appendix I Contamination</u>  |
| <u>Appendix J Aborigicultural Impact Assessment</u>                    |
| <u>Appendix K Searches</u>   |
| <u>Appendix L Geotechnical</u>   |
| <u>Appendix M Hazardous Materials</u>                                  |
| <u>Appendix N Noise and Vibration</u>                                  |
| <u>Appendix O Services</u>   |
| <u>Appendix P BCA &amp; DDA Assessment</u>                             |
| <u>Appendix Q Waste Management Plan</u>                                |



# 1. Introduction

## 1.1 Preamble

GeoLINK has been engaged by NSW Health Infrastructure (HI) to prepare a Development Application (DA) and associated Statement of Environmental Effects (SEE) for the refurbishment of part of the old Grafton Gaol Site into office and administration facilities for the existing hospital. The site is located on land described as Lot 2 DP1276261 located on the Corner of Arthur and Queen Streets, Grafton NSW 2460. The proposal will enable the relocation of some of the existing staff that are currently accommodated on the Grafton Base Hospital site to the old Gaol site to allow for construction of the Grafton Hospital Redevelopment (Main Works) which will be subject to a State Significant Development Application.

The application also involves some minor works on the current hospital site, described as Lot 22 DP1024231 and located at 184 Arthur St, Grafton NSW 2460. These works involve the installation of a private ICT cable to link the new facility with the existing hospital and electrical infrastructure including a new substation (within the street).

The purpose of this SEE is to satisfy the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Environmental Planning and Assessment Regulations 2021 (EP&A Regulations), and to support the DA by:

- Identifying the subject site and its context and describing the characteristics of the land.
- Providing a detailed description of the Proposal.
- Providing an assessment of the Proposal as it related to the statutory planning framework.
- Undertaking a comprehensive environmental assessment of the Proposal.

## 1.2 Planning and Environmental Approvals

The Proposal is for alterations to the old disused Grafton Gaol Site for use as part of the Grafton Hospital to allow for Stage 2 of the Grafton Hospital Redevelopment. The works and use are classified as development that requires consent. The Proposal does not meet the criteria for Exempt Development in accordance with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008. The Proposal is not classified as Designated Development. The Proposal is classified as Regionally Significant Development; therefore, Clarence Valley Council will be the assessing authority and the Regional Planning Panel will be the determining authority. As the proposal involves works to a State listed heritage item, a Section 60 works application under the *Heritage Act 1977* has been obtained from Heritage NSW (refer **Appendix C**).

## 1.3 Structure and Scope of the SEE

**Section 2** of this report identifies the subject site and its context, describing the physical characteristics and providing an analysis of the land. **Section 3** provides a detailed description of the Proposal and identifies key issues. **Section 4** outlines the planning approval pathway for the Proposal and provides an assessment of the Proposal as it relates to the statutory and non-statutory planning frameworks. The environmental assessment of the Proposal is contained in **Section 5**. **Section 6** contains a conclusion to the SEE and provides justification for the Proposal.



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## 1.4 Further Information

Should any clarification or additional information be required regarding this report, please contact Simon Waterworth of GeoLINK on [simonw@geolink.net.au](mailto:simonw@geolink.net.au) or 02 6651 7666.





## 2. The Site and its Context

### 2.1 Cadastral Description

The site involves two properties described in real property terms as Lot 22 DP1024231, 184 Arthur Street, Grafton (Grafton Base Hospital) and Lot 2 DP1276261, Corner of Arthur and Queen Streets, Grafton (part of the Old Grafton Correctional Facility). The Grafton Base Hospital site is owned by the NSW Health Administration Corporation (HAC) while the old Gaol site is owned by the NSW Department of Justice and is to be acquired by HAC.

The location of the site is shown in **Illustration 2.1**.

### 2.2 Site Analysis

Grafton is located within the Clarence Valley Local Government Area (LGA) in the Northern Rivers region of Northern New South Wales. Lot 22 DP1024231 and Lot 2 DP1276261 (the development site) are located approximately 1.5 km north-east of the Grafton town centre. A Site Plan is provided at **Illustration 2.2**. A site analysis plan is shown as **Illustration 2.3**.

The sites are located on opposite sides of Arthur Street. Lot 22 DP1024231 is the site of the existing Grafton Base Hospital (GBH) and is located on the northern side of Arthur Street. The former Grafton Correctional Centre site is located on the southern side of Arthur Street. Lot 2 DP1276261 (formerly part of Lot 1 Section 118 DP758470) forms part of the decommissioned Gaol site and was created by the consolidation of six lots into four lots, approved by Clarence Valley Council on 23 February 2023. Lot 2 DP1276261 has an area of 9558 m<sup>2</sup>.


The GBH site is developed land including landscaping, trees, buildings and hardstand areas for parking, access and walkways associated with the existing hospital. Multiple vehicular access points are provided to the site via Arthur Street and Crown Street.

The former Grafton Corrections Centre, which was decommissioned in 2020, is also developed land and consists of a gymnasium and two main buildings, Block A and Block B, surrounded by concrete hard stand areas and landscaped open space areas with connecting pathways. Blocks C and D along the eastern and southern boundaries are accommodation units. The site is enclosed by a high brick wall. Entry to the site is via a gated entry off Arthur Street. This site is listed on the State Heritage Register (SHR809) and is identified as an item of local heritage in Schedule 5 (I109) of the Clarence Valley Local Environmental Plan 2011 (CVLEP 2011).

Gordon Wingfield Park is located north-west of the hospital. Residential land uses adjoin the site in all other directions, including two aged care facilities.

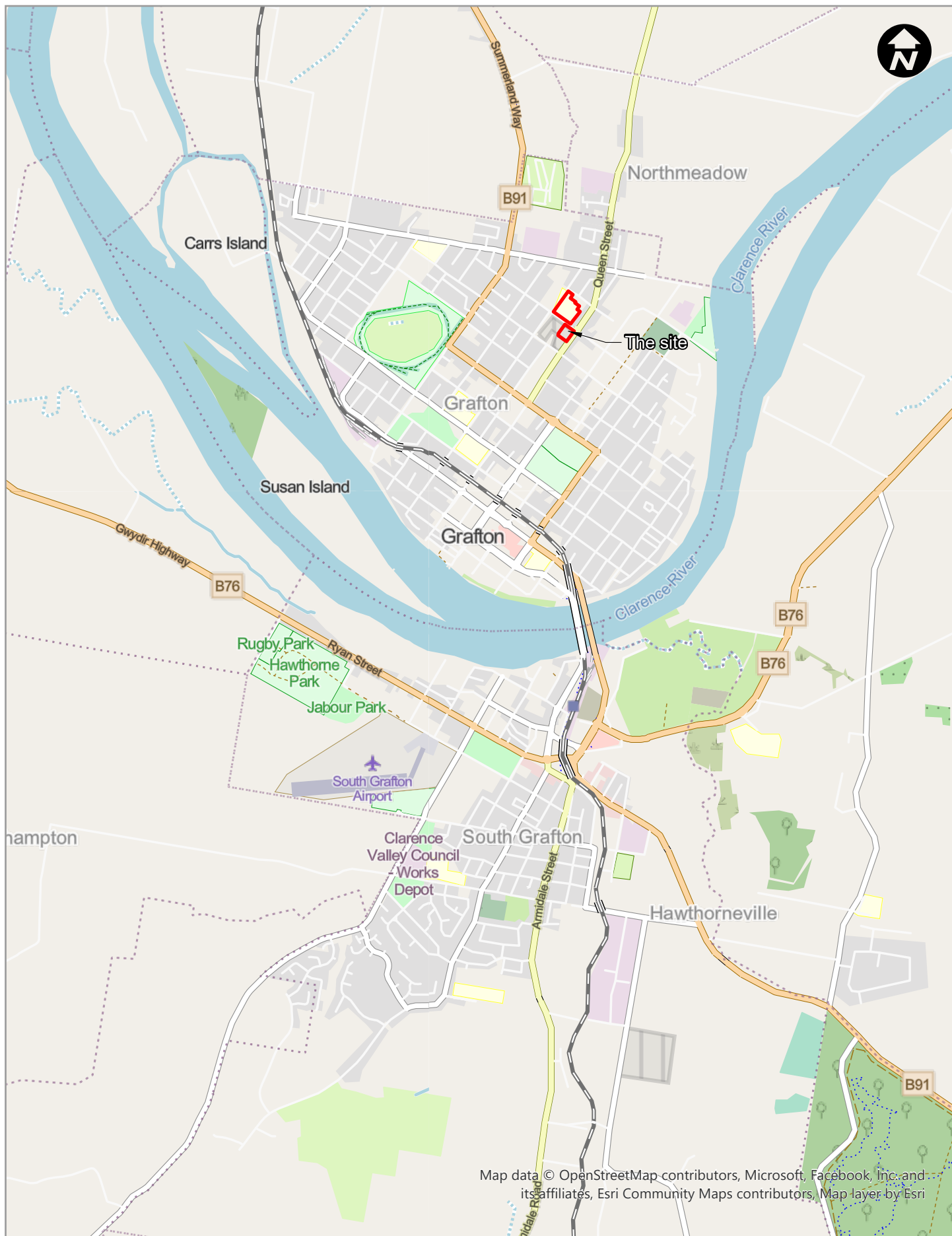
The main GBH site generally falls to the south-western corner. At the north-eastern corner where the site borders Whiddon Residential Aged Care Home, the existing level is approximately RL 6.75 m AHD (Australian Height Datum). At the south-eastern corner, the existing level is approximately RL 7 m AHD. At the north-western corner of the site, the existing level is approximately RL 6.75 m AHD. At the south-western corner of the former Correctional centre site, there is a steep decent toward Alamy Creek which traverses the lot, as the site slopes from a level of RL 7 m AHD to RL 2 m AHD.

The sites are affected by flooding from the Clarence River. According to Clarence Valley Council's Intramaps, the main GBH site and the former Correctional Centre site are subject to partial inundation from flooding during a 1-in-100-year flood event. The entirety of both sites would be inundated in the probable maximum flood. The site also potentially contains acid sulfate soils, Classes 3 and 4. There



are no ecological constraints with vegetation at the site characterised as ornamentally planted landscaped gardens and street trees. The site is located within an area serviced by reticulated water and sewer and links into the public stormwater system and is connected to grid power and telecommunications.

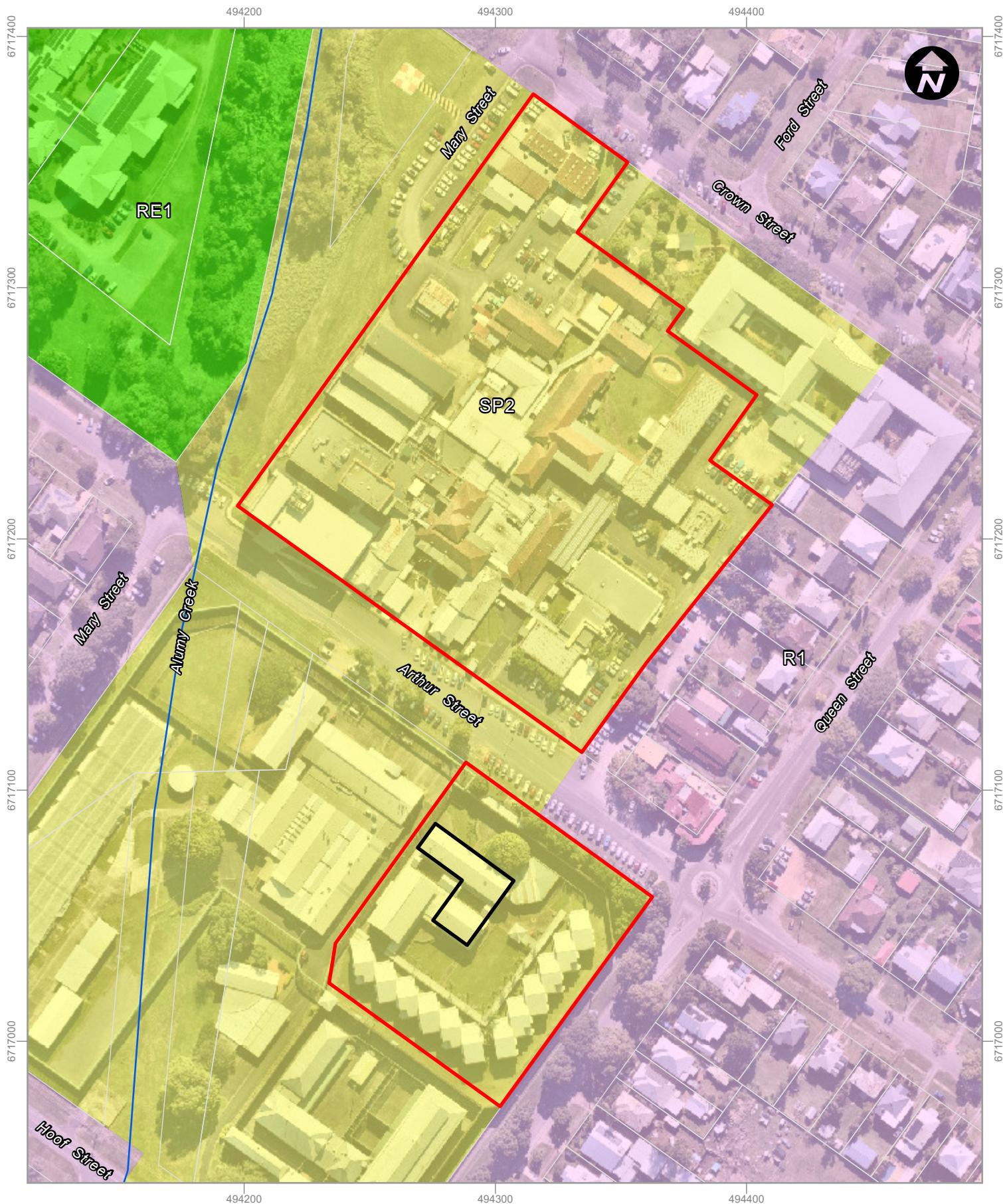
The GBH site is zoned SP2 Infrastructure (Health Services Facilities) and the former Correctional Centre site is zoned SP2 Infrastructure (Correctional Centre) under the CVLEP 2011.



0 800 Metres

Site Location - Illustration 2.1



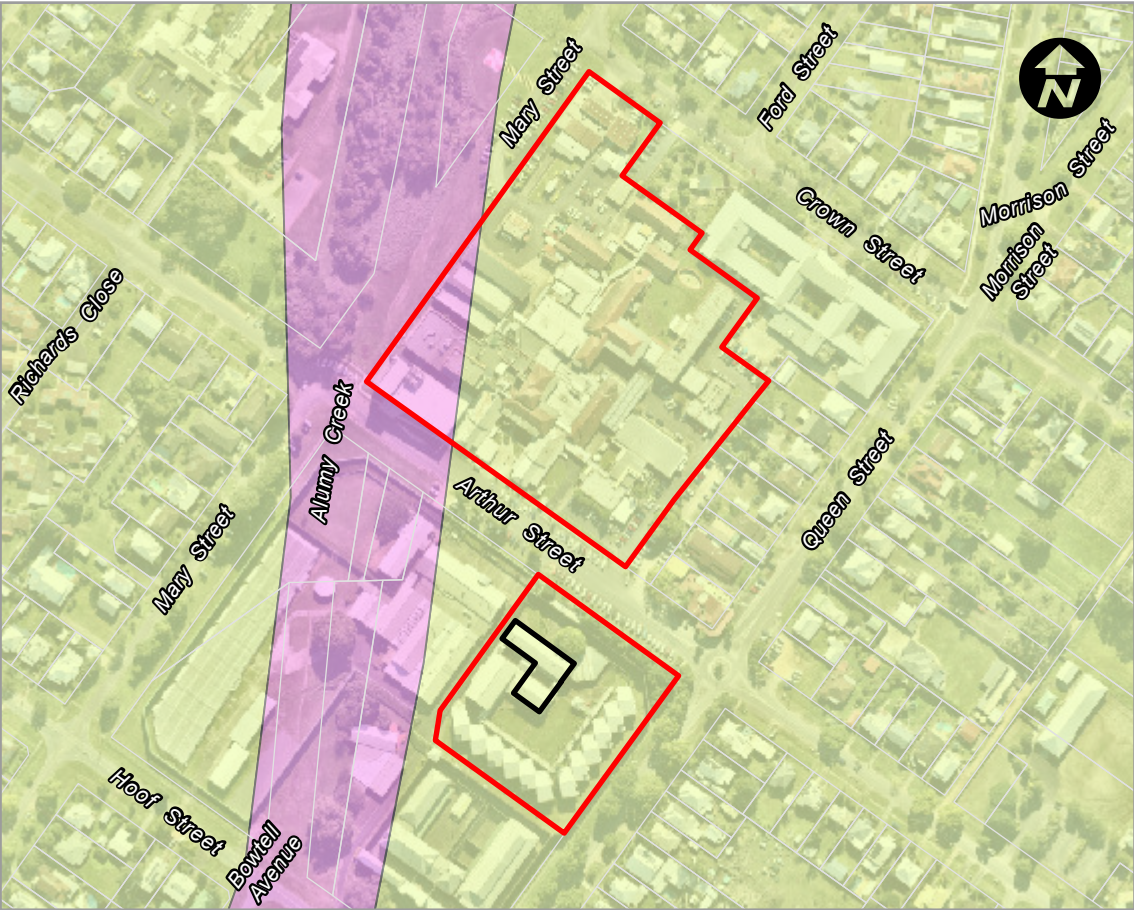


#### LEGEND

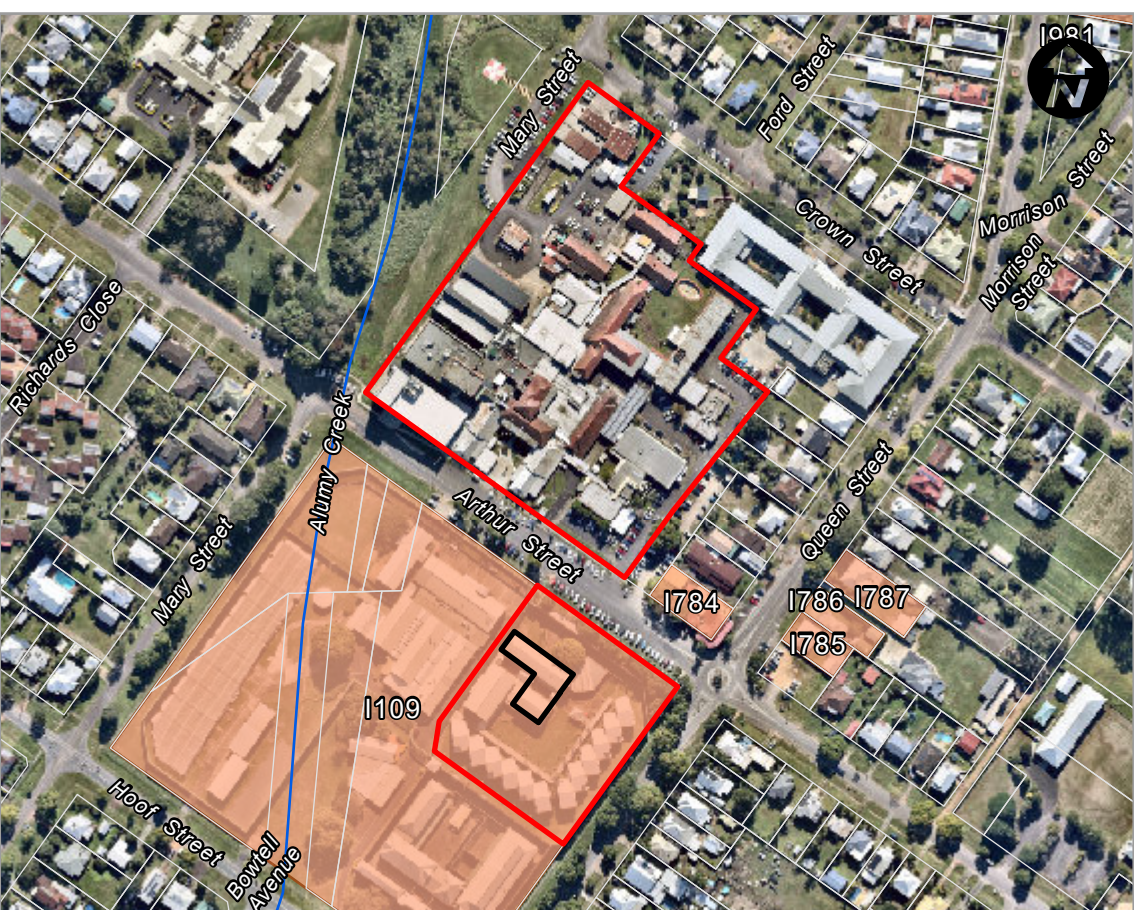
- Site boundary
- Refurbishment area
- R1 General Residential
- Watercourse
- Cadastre
- RE1 Public Recreation
- SP2 Infrastructure

0 40 Metres

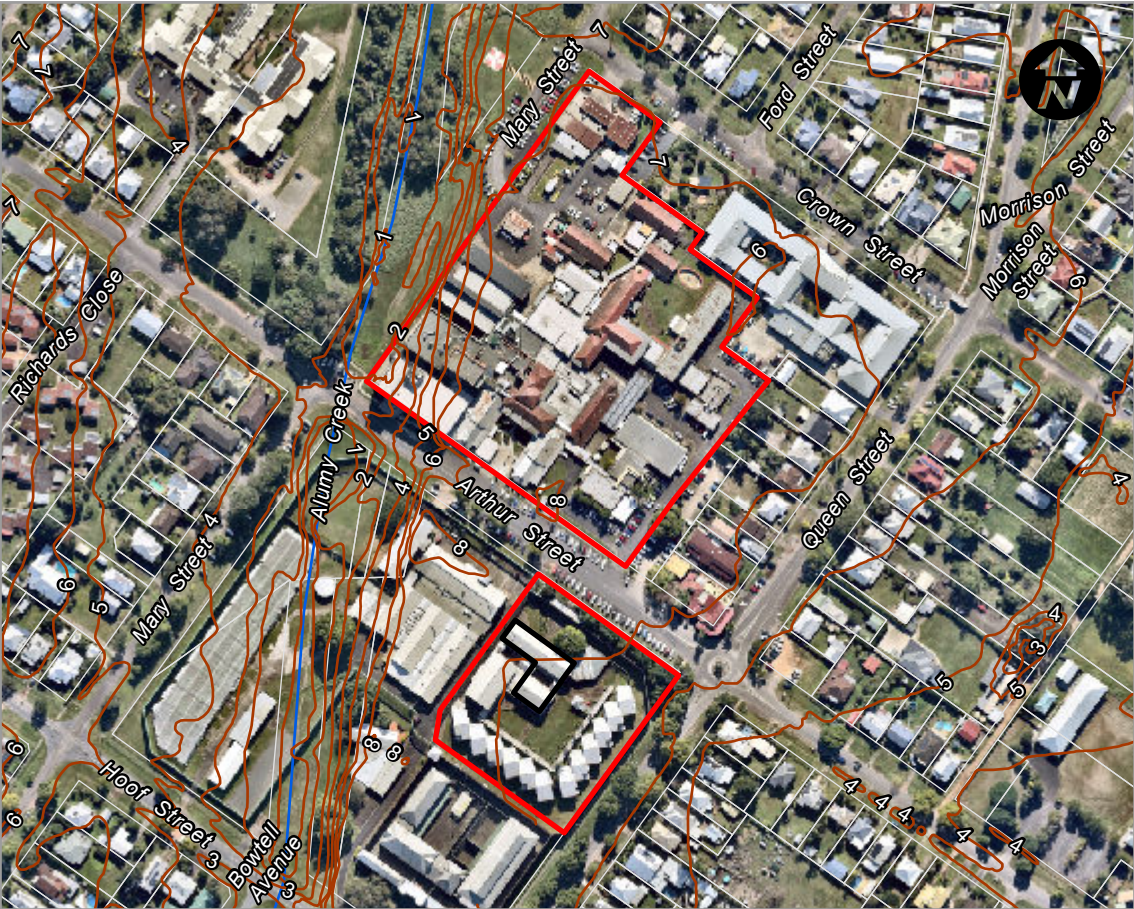




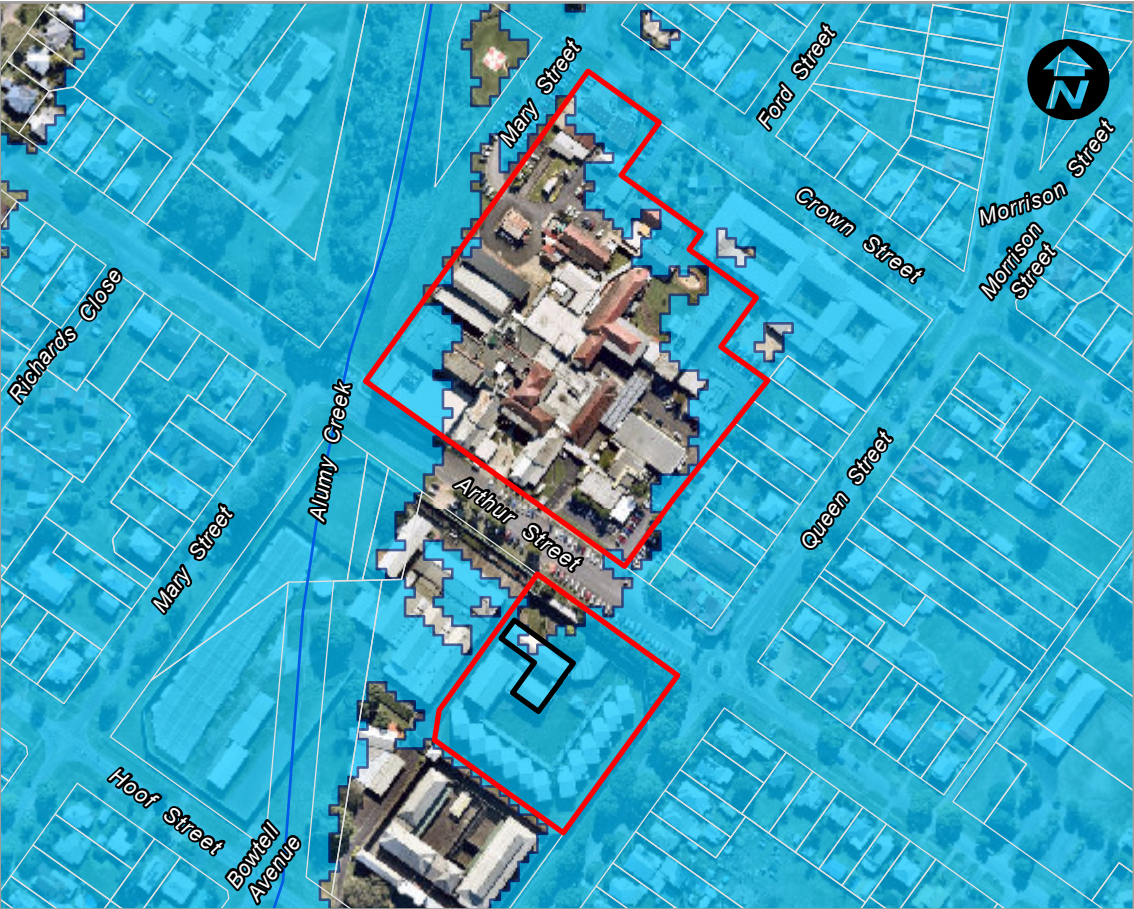
- Acid Sulfate Soil**
- Site boundary
  - Cadastral
  - Refurbishment area
- Acid Sulfate Soils Class**
- Class 3
  - Class 4



- Heritage**
- Site boundary
  - Cadastral
  - Refurbishment area
  - Heritage item
  - Watercourse



- Topography**
- Site boundary
  - Cadastral
  - Refurbishment area
  - Watercourse
  - Contours at 2m intervals



- Flood**
- Site boundary
  - Cadastral
  - Refurbishment area
  - 1 in 100 year flood
  - Watercourse





## 3. The Development Proposal

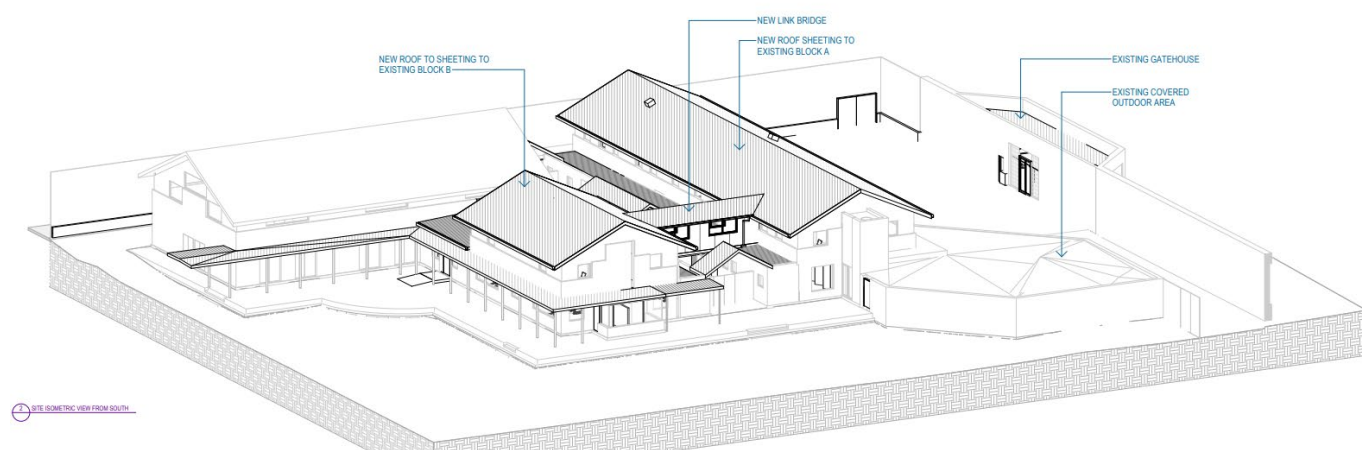
### 3.1 General Description of the Proposal

The development application seeks approval for alterations to existing buildings within the old Gaol site for repurposing for hospital use. The Proposal includes:

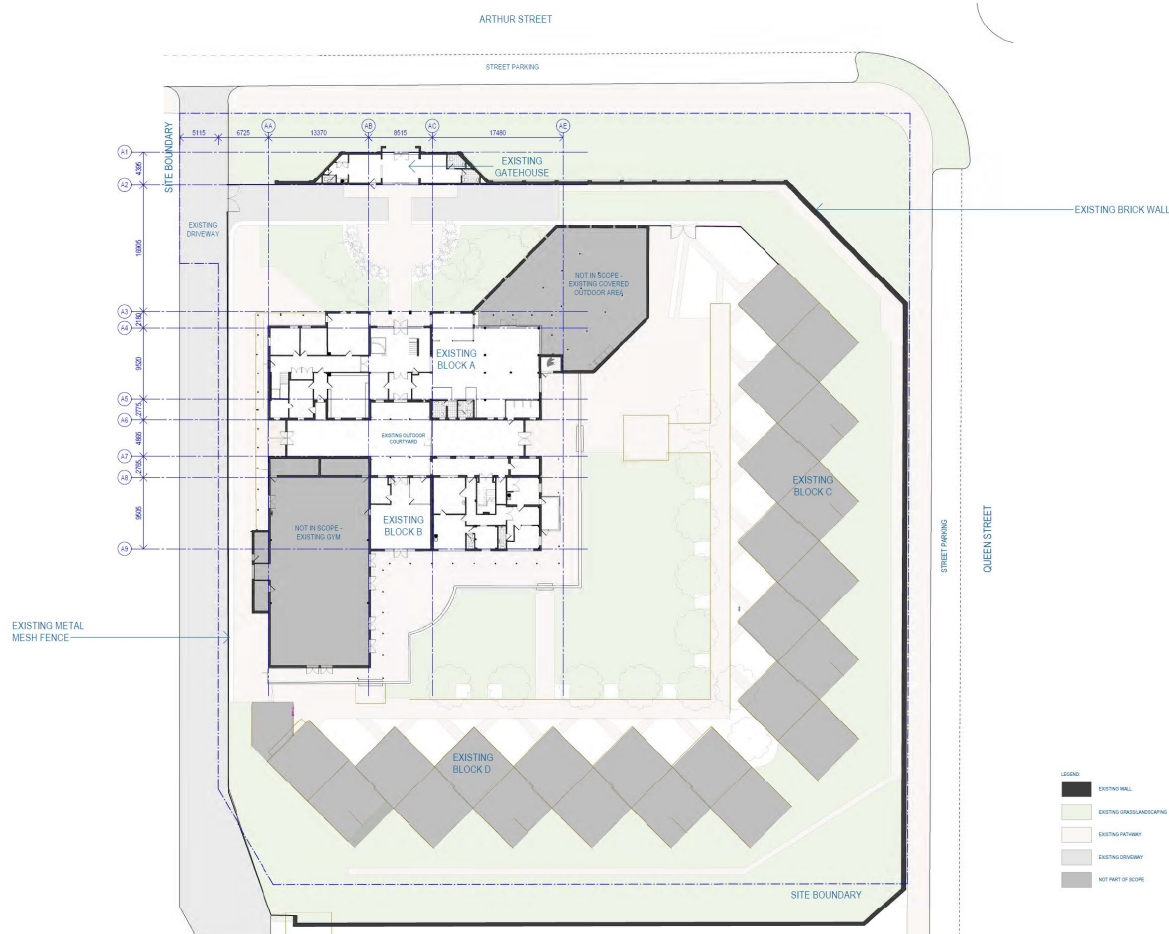
- Refurbishment of the former Grafton Correctional Centre site into office accommodation to be used as part of the Grafton Hospital Administration section (no clinical services will be relocated to this site).
- Installation of a private ICT pathway (Information and Communication Technology) beneath Arthur Street linking with new private ICT pathways across the GBH site and the former Correctional Centre site.
- Electrical infrastructure including a new substation (within the street).

The works are required as enabling works to provide administrative, office and training support for the Grafton Base Hospital during major redevelopment works which will be undertaken as a separate stage as State Significant Development.

A copy of the proposed plans including details of the proposed ICT Link across Arthur Street are attached as **Appendix A** and **B**. **Figure 3.1** and **Figure 3.2** below show a three-dimension view of the proposed works on the old Gaol site.



**Figure 3.1 3D Isometric View (source: Woods Bagot, Architectural Drawings 15.09.2023)**



**Figure 3.2 Proposed Site Plan (source: Woods Bagot, Architectural Drawings 15.09.2023)**

## 3.2 Refurbishment of Former Grafton Correctional Centre

It is proposed to refurbish part of the decommissioned Grafton Correctional Facility by repurposing existing buildings for use as part of the Grafton Base Hospital, and will include the following works:

- Internal alterations/ additions, including an internal lift, to Blocks A and B and the Arthur Street Gatehouse to convert to office and training space.
- Construction of a new enclosed link bridge between Blocks A and B.
- Installation of new roof (Blocks A and B).

The Proposal does not include any alterations or change in use to the existing gymnasium or accommodation buildings (Block C and D). It is anticipated that Block C and D will be part of a future conversion to key worker accommodation (refer **Figure 3.3** below) which will be subject to a separate planning approval pathway. Other than minor changes to the gatehouse, the existing brick wall surrounding the site will be retained as is.

### Key Worker Accommodation - Test Fit

- 10m2 beds (2 x typical types to fit within exist conditions)
- 5m2 typical ens. / 1 x GF accessible
- Access corridors to beds internalised in rooms to create a entry vestibule rather than wasted corridor space.
- Plumbing optimised with back to back plumbing, instead of retaining existing wet location - not feasible or optimal, will lose a bedroom which requires a window
- Security line & smoke airlock at GF
- Note: Fire egress requirements to be reviewed by Fire Eng.



**Figure 3.3 Workers Accommodation (not part of this application)**

#### 3.2.1 Demolition/ Refurbishment Works

The Proposal involves internal demolition/ refurbishment works to Block A and B and the Arthur Street Gatehouse to accommodate the proposed alterations and are necessary to provide a modern, open plan space that will meet contemporary requirements for administrative and training purposes. The internal demolition works proposed for Block A and B primarily involve the removal of doors, bathroom and kitchen amenities and non-structural walls and externally, the removal of roofs, gutters, fascia and downpipes and balustrades, soffits, and a parapet wall for the existing link bridge.

The proposed alterations to the Gatehouse are necessary as the level of security is no longer required because of the changed use from a correctional centre and involve the removal of main entry doors and glass bricks, as well as internal fixtures to create an open entrance space.

Demolition works do not include any part of a building which is identified as being of moderate or higher heritage significance (e.g., the original Grafton Gaol).

The Proposal will require the removal of only two trees, one being an ornamental street tree in front of the old Gaol site, and the other being an inappropriately located garden species in the Gaol forecourt.

### 3.3 Enabling Works at Grafton Base Hospital and Within the Street

The Proposal also involves the enabling works on the Grafton Base Hospital site and within the street including:

- Installation of a private ICT pathway (Information and Communication Technology) beneath Arthur Street linking with new private ICT pathways across the GBH site and the former Correctional Centre site.
- Electrical infrastructure including a new substation.





## 3.4 Infrastructure

The following services are available to the development sites and can be connected and/or upgraded to service the Proposal. Further details are provided in **Section 5.11**.

### 3.4.1 Electricity

Investigations indicate that the existing surrounding post mounted transformers do not have sufficient capacity or connections to service the former Correctional Centre site, and a new post mounted transformer will likely need to be established. The site will also require a new incoming electrical supply to appropriately service the site, in the form of a new pole-mounted substation along Arthur Street, new consumer mains via UGOH connection to the site and new utility meter and SPD within the site. A new Post Mounted transformer is also to be established connected into the existing 11kV Overhead network along Arthur Street. The development requires a dedicated incoming utility supply to comply with NSW Service Installation Rule and the local utility company requirements.

### 3.4.2 Stormwater

The proposed redevelopment of the old Gaol buildings will not generate increased stormwater. Existing onsite stormwater infrastructure will be replaced, and water quality management measures installed to comply with Council's Sustainable Water Control requirements (i.e., gross pollutant traps and filters).

### 3.4.3 Water

The site will be connected to Council's reticulated water supply. There is an existing 250 mm utility water main along Arthur Street and a 100 mm water main along Queen Street. The former Correctional Centre site is currently supplied via a water connection from the Queen Street water main.

### 3.4.4 Sewer

The site will be connected to Council's reticulated sewer system. There is an existing utility 375 mm concrete sewer along Arthur Street and a 150 mm sewer along Hoof Street. The acquisition site has its own connection to the utility sewer. No utility upgrades are required.

### 3.4.5 Communications

NBN and Telstra infrastructure is available. It is proposed that new lead-in cabling will be provided to support the site and in-ground lead-in conduits will reticulate to a new Communications Room. The proposal also includes the installation of a private ICT pathway via inground conduits beneath Arthur Street providing connection to the two sites.

### 3.4.6 Fire

There is an existing fire water supply from the Arthur Street water main. A new connection from the Arthur Street water main for fire-fighting purposes is required to serve the former Correctional Centre site. A new fire brigade booster is proposed to be installed along Arthur Street.



### 3.4.7 Gas Supply

No new or augmented Natural Gas utility services are required. Existing LPG facilities across the site will be capped off and made redundant.

### 3.4.8 Mechanical Services

No new Mechanical utility services are required across the site as part of the proposed works. No public or privately held Mechanical utility infrastructure will be impacted.

## 3.5 Key Issues

### 3.5.1 Heritage

The gatehouse, and Blocks A and B are part of the Grafton Correctional Centre, which is listed on the NSW State Heritage Register and as an item of local heritage significance on the Clarence Valley Local Environmental Plan (LEP). It is also listed in the Section 170 register for heritage sites managed by Government departments. A Statement of Heritage Impact has been obtained to consider the impacts of the proposed enabling works on the heritage values of the site (refer **Appendix C**). Further discussion is provided in **Section 5.8**. As the proposal involves works to a State listed heritage item, a Section 60 works application under the *Heritage Act 1977* has been obtained from Heritage NSW (refer **Appendix C**).

### 3.5.2 Flooding

Council mapping shows that both the former Correctional Centre site and the Hospital site are affected by flooding, up to and including the 1% AEP (Annual Exceedance Level) and the PMF (Probable Maximum Flood). A Civil Engineering Design report prepared for the proposal (**Appendix E**) provides an assessment of flood impacts and details of flood mitigation and stormwater measures proposed for the old Gaol site, as well as the results of updated flood modelling for both sites. The engineering report has found that there will be no adverse impact or increase in flood levels as a result of the updated flood modelling and the proposed flood mitigation measures.

These matters are discussed further in **Section 5.5**.



## 4. Statutory Planning Considerations

### 4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the primary legislation for environmental planning in NSW. It establishes the legislative framework that governs land use, development assessment and decision making. The Environmental Planning and Assessment Regulation 2021 (EPAR) creates the required administration and allocates roles and responsibilities for land use and assessments. This section summarises the relevant policies and plans that are required to be considered by Clarence Valley Council under Section 4.15 of the EP&A Act.

#### 4.1.1 Crown Development

The Proponent for the development application is Health Infrastructure which is a public authority and part of the Crown. The application is therefore defined as a Crown development application and must be assessed in accordance with Division 4.6 of the EP&A Act. Provisions of Division 4.6 relevant to the Proposal are:

##### 4.33 Determination of Crown development applications

(1) A consent authority (other than the Minister) must not:

- a) refuse its consent to a Crown development application, except with the approval of the Minister, or
- b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.

#### 4.1.2 Integrated Development

The Proposal does not trigger any of the Integrated Development provisions under Section 4.46 of the EP&A Act. A Section 60 Application under the Heritage Act has been obtained prior to this DA being submitted which obviates the need to follow the Integrated Development provisions (within Division 4.8 of the EP&A Act) under the *Heritage Act 1977* – approval in respect of the doing or carrying out of an act, matter or thing referred to in section 57(1). The Section 60 approval is attached at **Appendix C**.

#### 4.1.3 Other Approvals

The Development Application will require works within the road reserve, requiring approval under the *Roads Act 1998* (Section 138). Pursuant to Clause 4.46(3) of the EP&A Act this component is not integrated development in respect of the consent required under Section 138 of the *Roads Act 1993* as the Development Application requires the consent of Council who is also responsible for the Section 138 approval.

#### 4.1.4 Other Referrals

It is understood that Council may need to refer the development application to the relevant electrical authority under Section 2.48 (Determination of development applications—other development) under State Environmental Planning Policy (Transport and Infrastructure) 2021.



## 4.2 Clarence Valley Local Environmental Plan 2011

The site is located within the Clarence Valley Local Government Area (LGA). Planning controls within this LGA are set out in Clarence Valley Local Environmental Plan (CVLEP) 2011.

### 4.2.1 Proposed Use

The Proposal is for the following:

- A change of use and refurbishment of existing buildings within a correctional centre for use as a hospital.
- Minor works within a hospital site including the installation of a private ICT cable to link the new facility with the existing hospital and electrical infrastructure including a new substation.

A hospital is defined as a health services facility under the standard Local Environmental Plan (LEP) instrument and the LEP as:

A **health services facility** means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- a. A medical centre.
- b. Community health service facilities.
- c. Health consulting rooms.
- d. Patient transport facilities, including helipads and ambulance facilities.
- e. Hospital.

### 4.2.2 Site Zoning and Permissibility

Under the CVLEP 2011 the GBH site is zoned SP2 Infrastructure (Health Services Facilities), and the Correctional Centre site is zoned SP2 Infrastructure (Correctional Centre).

The objectives for the SP2 Infrastructure zone are:

- *To provide for infrastructure and related uses;*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

Under CVLEP 2011, land uses permitted with consent in the SP2 Infrastructure zone are:

*Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Advertising structures; Community facilities; Environmental protection works; Flood mitigation works; Markets; Recreation areas.*

The purpose shown on the Land Zoning Map (refer **Figure 4.1** below) is:

- Hospital Site – Health Service Facilities.
- Acquisition Site – Correctional Centre.



**Figure 4.1 LEP Zoning (source: NSW Planning Portal)**

The proposed works on the main Grafton Base Hospital site are consistent with the land zoning map i.e., health services facility and are therefore permissible under CVLEP 2011. The proposed use of the acquisition site as a health services facility would not be consistent with the purpose shown on the Land Zoning Map (Correctional Centre) and would therefore be a prohibited land use under CVLEP 2011.

Health service facilities are also permissible with consent under Division 10 Section 2.60 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&ISEPP), which states that development for the purpose of health service facilities may be carried out by any person with consent on the land in a prescribed zone. The SP2 Infrastructure zone is a prescribed zone in section 2.59. The proposed refurbishment of the old Grafton Correctional Facility into a health service facility as part of the GBH redevelopment proposal development is therefore permitted with consent pursuant to Section 2.60 of T&ISEPP.

The planning approval pathway is therefore development with consent under Part 4 of the *Environmental Planning and Assessment Act 1979* pursuant to section 2.60 of the Transport and Infrastructure SEPP. Part 4 development involves the preparation of a Statement of Environmental Effects (SEE) for submission as part of a development application.

The estimated Development cost is \$13, 500,000 (excl GST). Under Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, the Proposal is classified as Regionally Significant Development as it is a development by the Crown with an estimated development cost of over \$5 m. As the Proposal is Regionally Significant Development, the application will be processed and assessed by Clarence Valley Council but determined by the Regional Planning Panel.

### 4.2.3 CVLEP 2011 Requirements


The Development's consistency with relevant clauses of CVLEP 2011 is discussed in **Table 4.1**.

**Table 4.1 Clarence Valley Local Environment Plan 2011**

| Relevant section                                       | Comment  | Compliance   |
|--|--|--|
| <b>Part 2 Permitted or Prohibited Development</b>      |  |  |
| Section 2.7<br>Demolition requires development consent | The demolition of buildings may be carried out only with development consent. Internal demolition works form part of this DA.  | Complies   |
| <b>Part 4 Principal Development Standards</b>          |  |  |
| Section 4.3<br>Height of Buildings                     | A height restriction has not been adopted for the GBH site or the former Correctional Centre site.<br><br>The objectives of Clause 4.3 are to maintain the low scale character of towns and villages and to protect the amenity of neighbouring properties.  | Complies. The works involve the refurbishment of existing buildings within a decommissioned correctional facility, and there will be no change in roof design or height. There will be little, if any, perceptible change to the external appearance of the site (refer <b>Section 5.10</b> ). |
| Section 4.4<br>Floor Space Ratio (FSR)                 | The floor space ratio clause has not been adopted.   | N/A  |
| Section 4.6<br>Exceptions to development standards     | The Proposal does not involve a request to vary LEP development standards.   | N/A  |
| <b>Part 5 Miscellaneous Provisions</b>                 |  |  |
| Section 5.6<br>Architectural roof features             | It is proposed to replace the existing metal roofs on Blocks A and B with new metal sheeting. The existing roof height and form will be retained. The roof on the new bridge link will match Blocks A and B.   | Complies.  |
| Section 5.10<br>Heritage Conservation                  | The Grafton Correctional Centre, including part of the development site i.e., Lot 2 DP1276261, is listed as a heritage item under CVLEP 2011 and is on the NSW State Heritage Register. It is not within the Grafton Conservation Area.<br><br>A Statement of Heritage Impact (SOHI) prepared for the proposed development addresses Section 5.10 (refer Section 5.4.1 of SOHI) and concluded that the works involving the Gatehouse and Blocks A and B would not have a | Complies - Refer to <b>Sections 5.8 and 5.7</b> and <b>Appendix C</b> and <b>Appendix D</b> .  |



| Relevant section   | Comment   | Compliance   |
|--|---|--|
|  | <p>significant impact on heritage values (refer to <b>Appendix C</b>).</p> <p>An Aboriginal Cultural Heritage (Due Diligence) Assessment (<b>Appendix D</b>) has also been obtained both the Hospital and former Correction Centre site. The report concluded that the works would not harm Aboriginal objects.</p>   |  |
| Section 5.12 Infrastructure development and use of existing buildings of the Crown | The proposed works are permissible with consent pursuant to Section 2.60 of the Transport and Infrastructure SEPP and under the provisions of CVLEP 2011 (Grafton Base Hospital site).  | N/A  |
| <b>Part 7 Additional Local Provisions</b>  |   |  |
| Section 7.1 Acid sulfate soils   | The site is mapped for Class 3 and 4 Acid Sulfate Soils. The Proposal does not involve works that will trigger the requirements of section 7.1(2).  | Complies - Refer <b>Section 5.2</b> .  |
| Section 7.2 Earthworks   | <p>Within the former Gaol site, the proposal involves the refurbishment of existing buildings surrounded by existing hard stand area. Earthworks will be limited to removal of concrete slabs only.</p> <p>The installation of new ICT services will require underboring under Arthur Street and trenching within the development's sites.</p>  | Detailed discussion regarding earthworks is provided in <b>Section 5.2</b> of this report. |
| Section 7.4 Floodplain risk management   | <p>Council's flood mapping identifies that the GBH site is partially within, and the Gaol site fully within, the Flood Planning Area (FPA). Previous flood studies have indicated that a Probable Maximum Flood Level (PMF) for the sites of approximately RL9.00 m AHD.</p> <p>The NSW Floodplain Development Manual requires critical infrastructure to be protected from flooding and generally, the PMF is adopted as the required protection level to ensure that the Hospital can function and provide services during a major flood event. Currently, the highest floor level of the Hospital site is at approximately RL8.0 m, which is affected by the PMF event.</p> <p>A Flood Impact &amp; Risk Assessment has been prepared as part of the Civil Engineering Report (<b>Appendix E</b>).</p> | Refer to <b>Section 5.5</b> and <b>Appendix E</b> .  |



| Relevant section               | Comment   | Compliance   |
|--------------------------------|---|--|
|                                | <p>Updated flood modelling, including climate change analysis, indicated an approximate PMF flood level of RL9.0 m AHD. Further modelling undertaken to assess any effects of the solid prison walls indicates that the Gaol site is not affected by the 1% AEP flood event.</p> <p>The updated flood modelling and further issues associated with flooding, including the emergency management and flood evacuation procedures and the findings of the 2022 NSW Independent Flood Inquiry and Planning Circular PS 24-001 Update on addressing flood risk in planning decisions are discussed further in <b>Section 5.5</b>.</p> |  |
| Section 7.8 Essential Services | Development consent must not be granted for development unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is provided, or that adequate arrangements have been made to make that infrastructure available when it is required.  | All essential infrastructure is available at the site. Preliminary discussions with Council staff have not raised any public infrastructure constraints on the proposed development. |

### 4.3 Clarence Valley Council Development Control Plan 2011 (DCP)

The Clarence Valley Council Development Control Plan (CVCDP) supports the provisions of CVLEP 2011 and provides a set of development objectives and provisions for development within the Clarence LGA. Development in Environmental Protection, Recreation and Special Use Zones 2011 outlines specific requirements for development in the SP2 Infrastructure zone.

The relevant provisions of the DCP and how they relate to the proposed development are outlined in the following sections. The Proposal is generally consistent with the provisions of CVDCP, as applicable.

#### 4.3.1 Part C General Development Controls


The Proposal involves the refurbishment of buildings within an existing correctional facility and the installation of a private ICT cable to link the new facility with the existing hospital and electrical infrastructure including a new substation as such, the provisions of Part C do not generally apply to the Proposal.

##### *C25 Waste Management*

Waste and measures to minimise and effectively manage it are outlined in **Section 5.12**. A Waste Management Plan is attached as **Appendix Q**. The Plan was prepared in accordance with Council's DCP requirements and DECCW's "Waste Classification Guidelines (2008)" and the *Protection of the Environment Operations Act 1997*.

##### *C26 Provision of Essential Services*





Reticulated services are available to both sites. Discussions with Council staff and other service providers have confirmed that existing utility infrastructure has sufficient capacity or existing infrastructure can be upgraded. Details of the provision of essential services, including stormwater are provided in **Sections 5.5 and 5.11**.

#### **4.3.2 Part D Floodplain Management Controls**

Council's requirements for Critical Uses and Facilities and Administration Facilities in relation to flooding are addressed in the Civil Engineering Report which was prepared for the hospital redevelopment (refer **Appendix E**). Updated flood modelling for the sites was obtained and is discussed in further detail in **Section 5.5**.

#### **4.3.3 Part E Heritage Conservation**

The Proposal satisfies the objectives of Part E of the DCP. A Statement of Heritage Impact (SOH) has been obtained for the proposed works involving the former Correctional Centre, which is a State and Local listed heritage item (refer **Appendix C**). The SOHI addresses the DCP requirements of Part-E (section 5.4.2 of the SOHI) and found that the works will not have a significant impact on the heritage values of the site. Heritage issues are discussed further in **Section 5.8**.

#### **4.3.4 Part F Parking and Vehicular Access Controls**

The purpose of the proposal development is to enable existing services within the Grafton Base Hospital to be accommodated within the refurbished Correctional Centre buildings. There will be no new services or additional staff as a result of the Proposal.

A Traffic Impact Statement (TIA) prepared for the Proposal concluded that there would be no additional traffic or increased parking demand because of the proposal and provided recommendations to improve pedestrian safety. These works will be carried out in accordance with Council's specifications and relevant Austroads Guides and Australian Standards. Further details are provided in **Section 5.6** and **Appendix F**.

#### **4.3.5 Part G Sustainable Water Controls**

The Proposal will not result in any additional impervious areas or generate additional stormwater. A Civil Engineering Design (refer **Appendix E**) details water quality management measures proposed to reduce pollutants as part of the Proposal. Existing stormwater infrastructure within the site will be replaced. Refer to **Section 5.5** for further detail.


#### **4.3.6 Part H Erosion and Sediment Controls**

There will be minimal earthworks required for the proposal redevelopment of the two sites. As required by the DCP, an Erosion and Sediment Control plan has been provided for the redevelopment and has been provided as **Appendix G** and is discussed further in **Section 5.2**.

### **4.4 State Environmental Planning Policies**

#### **4.4.1 State Environmental Planning Policy (Transport and Infrastructure) 2021**

State Environmental Planning Policy (Transport and Infrastructure) 2021 applies, as the development is a health services facility. The development is permissible with consent by way of Section 2.60 of the



Transport and Infrastructure SEPP. The relevant sections and implications of the SEPP are discussed in **Section 3.4** of this report.

#### **4.4.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

##### *Chapter 4 Koala Habitat Protection 2021*

Chapter 4 of the Biodiversity and Conservation SEPP aims to encourage the conservation and management of natural vegetation areas that provide habitat for Koalas, to ensure permanent free-living populations would be maintained over their present range.

Clarence Valley Council is a specified Council in schedule 2, therefore Chapter 4 is applicable. Section 4.9 of the SEPP outlines the development assessment process applying if the land:

- (a) Has an area of at least 1 hectare (including adjoining land within the same ownership), and
- (b) Does not have an approved koala plan of management applying to the land.

There is no approved koala plan of management applying to the land and the combined area of the two sites exceeds 1 ha. Section 4.9(2) provides that before granting consent to a development application to carry out development on the land, Council must assess whether the development is likely to have any impact on koalas or koala habitat. Under section 4.9(3) Council may grant consent if it is satisfied that the development is likely to have low or no impact on koalas or koala habitat.

The development site is in an established residential area of Grafton with minimal vegetation present. Both sites are fully developed because of their use as a hospital or former correctional centre. The site does not contain potential Koala habitat. Two trees are proposed to be removed. One tree is located in Arthur Street and is a juvenile *Ficus Hillii*. The other is a *Schefflera actinophylla* located in the Gaol forecourt. Given the location of the Proposal and the lack of Koala feed trees on the site, the Proposal would not impact on Koalas or koala habitat.

#### **4.4.3 State Environmental Planning Policy (Planning Systems) 2021**

##### *Chapter 2 State and Regional Development*


Chapter 2 State and Regional Development of the Planning Systems SEPP relates to State and Regionally Significant Development. The estimated cost of development of the development is \$13,500,000 excluding GST (refer **Appendix H**). Pursuant to Section 4.2 of the EP&A Act, the consent functions are to be exercised by a Regional Planning Panel. This means that the Council will assess the application, however the determination will be by the relevant Regional Planning Panel.

#### **4.4.4 State Environmental Planning Policy (Resilience and Hazards) 2021**

##### *Chapter 4 Remediation of Land*

The objective of this Chapter is to provide for a State-wide planning approach to the remediation of contaminated land. It aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 requires that a consent authority must not consent to the carrying out of any development unless it has considered whether the land is contaminated and, if contaminated, it is satisfied that the land is suitable for development in its contaminated state or will be subject to remediation.

The Proposal includes internal demolition works involving buildings constructed in the 1980s and minor earthworks. A Stage 1 and Preliminary Stage 2 Site Contamination (PSI) and a Stage 2



(Detailed) Site Contamination Assessment have been carried out for the former Grafton Gaol site (**Appendix I**). These assessment processes and their findings are discussed in further detail in **Section 5.3**.

The PSI found the site to be suitable for the development subject to the preparation of a detailed site contamination assessment. The detailed assessment included targeted soil sampling and water sampling and analysis. Based on the result of the detailed assessment process, the site was considered suitable in its current state for the proposed land use with regards to soil contamination, and a Remedial Action Plan (RAP) is not required. This finding was subject to site works being conducted in accordance with appropriate site management protocols and legislative requirements and the inclusion of conditions to manage potential site contamination or any unidentified fill material encountered during site works.

#### **4.4.5 State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)**

Section 3.2 of the Sustainable Buildings SEPP requires that, in deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following:


- The minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials.
- A reduction in peak demand for electricity, including through the use of energy efficient technology.
- A reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design.
- The generation and storage of renewable energy.
- The metering and monitoring of energy consumption.
- The minimisation of the consumption of potable water.

The SEPP also requires that development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

Health Infrastructure (HI) is committed to improving the environmental performance and sustainability of its projects in accordance with NSW Government policy. The purpose of DGN 058 is to provide instructions on how ESD is to be addressed on all HI Projects. DGN 058 outlines the process to be followed to verify ESD outcomes in projects, which involves a robust assessment of a project to determine its ability to meet HI's ESD criteria. This process ensures practical and cost effective ESD outcomes on all HI projects while delivering results that facilitate good clinical solutions. While based on the approach used by the Green Building Council of Australia's (GBCA) Green Star process, it is not a Green Star rating. Rather it is a set of scores that reflect the merit of various ESD initiatives applicable to health facilities, developed by ESD specialists to meet the needs of HI.

The process is based on an Evaluation Tool which draws upon the GBCA's Green Star – Design & As Built rating tool to establish an equivalent benchmark to sustainable building performance. The process requires emphasis is placed on meeting the intent of each initiative, with sufficient evidence to support the claim that the initiatives have been achieved.

For all HI projects it is intended that an independent ESD Consultant will be appointed for the duration of the project. All Consultants and Contractors working on HI projects are required to allow for the process defined in DGN 058.



DGN sets the following required targets for the design: -

- A minimum of forty-five (45) points to be achieved by the design in accordance with HI's ESD Evaluation Tool.
- A minimum 10% improvement in energy efficiency compared to a baseline of NCC Section J compliance applicable to the development.

## 4.5 Planning Agreements

There are no planning agreements or draft planning agreements relevant to the proposed development.

## 4.6 Developer Contributions Plan

The EP&A Act sets the statutory framework under which a Council can obtain contributions from new developments to be put towards funding the cost of additional infrastructure required.

Council's typically levy under Section 7.11 of the EP&A Act (formerly Section 94) for a variety of developments including:

- Residential development (including subdivision, medium density & secondary dwellings).
- Rural and rural residential development.
- Non-residential development (i.e. commercial, retail, industrial buildings).

The *Clarence Valley Council contributions Plan 2011* is applicable in this case.

Advice issued from the DPE states that in principle, the limitations on the imposition of developer contributions on public sector developments remain as outlined in Circular D6 – Crown Development Applications and conditions of consent (DLWC 2002, page 12 Section 27) which states that “*Crown developments for community services e.g. education, health, community services and law and order are exempt from general developer charges.*”


It should also be noted that Draft Environmental Planning and Assessment Amendment (Infrastructure Contributions) Regulation 2021 (draft Reg), which has been exhibited by the Department of Planning and Environment outlines the NSW Government's intention to exempt Crown development from local contributions (see extracted cl 25J from the draft Reg below):

*25J Development and land in relation to which local infrastructure conditions and local levy conditions may be imposed*

*(1) A local infrastructure condition and local levy condition must not be imposed on a development consent in relation to development for the following purposes—*

- a) public housing within the meaning of the Housing Act 2001,*
- b) seniors housing carried out by or on behalf of a social housing provider,*
- c) affordable housing carried out by or on behalf of a social housing provider,*
- d) development carried out by or on behalf of the State for the purposes of schools, health services facilities, emergency services facilities or public administration buildings.*

The redevelopment of the Grafton Hospital proposed will provide substantial public benefits to the local and regional community and would provide for local employment without creating an



unreasonable demand on local infrastructure. As such contributions should not apply and should not be levied for this Project.

#### **4.7 Environmental Planning and Assessment Regulation 2021**

There are no provisions of the regulations specifically relevant to the assessment of the proposed development.



## 5. Environmental Impact Assessment

### 5.1 Biodiversity

Both the Hospital site and the former Correctional Centre site are fully developed sites consisting of a variety of buildings, carparks, hardstand areas and open space areas. The development is not identified on the Biodiversity Values Map. Trees and vegetation within the sites range in size and type and are predominantly considered to be amenity plantings within landscaped areas. None are 'remnant trees'. No trees were identified as being of national, state, or local heritage significance. Only two trees will require removal; one being a juvenile Weeping Fig to facilitate the works within the Correction Centre site and the second being an Umbrella tree which is an undesirable species in an inappropriate location. Further details are discussed below.

#### 5.1.1 Preliminary Tree Assessment

A Preliminary Tree Assessment report prepared by Civica in 2021 identified forty-five (45) trees within the grounds of the Grafton Hospital and immediate surrounds, including the disused former Gaol site and the Council Road reserve. No tree removal is required to facilitate the minor works proposed on the Hospital site. A further assessment was subsequently obtained to assess potential impacts of the proposed early works on trees within the Gaol site.

#### 5.1.2 Arboricultural Impact Assessment

A further Arboricultural Impact Assessment (AIA) was prepared by Civica. A copy of this report dated 26 September 2023 is attached as **Appendix J**. The purpose of this report was to provide an assessment on the health and significance of the trees within the Gaol site and how they may be affected by the proposed early works. Based on the findings of the assessment, recommendations were provided on individual tree retention value, those requiring removal to facilitate the development and measures to protect those trees to be retained.

A visual inspection of the trees was carried out, and an objective appraisal of the subject trees in relation to their species, estimated age, health, structural condition and viability within the landscape was provided. Trees within the site were then categorised as follows:

Category A Trees (High Retention Value)

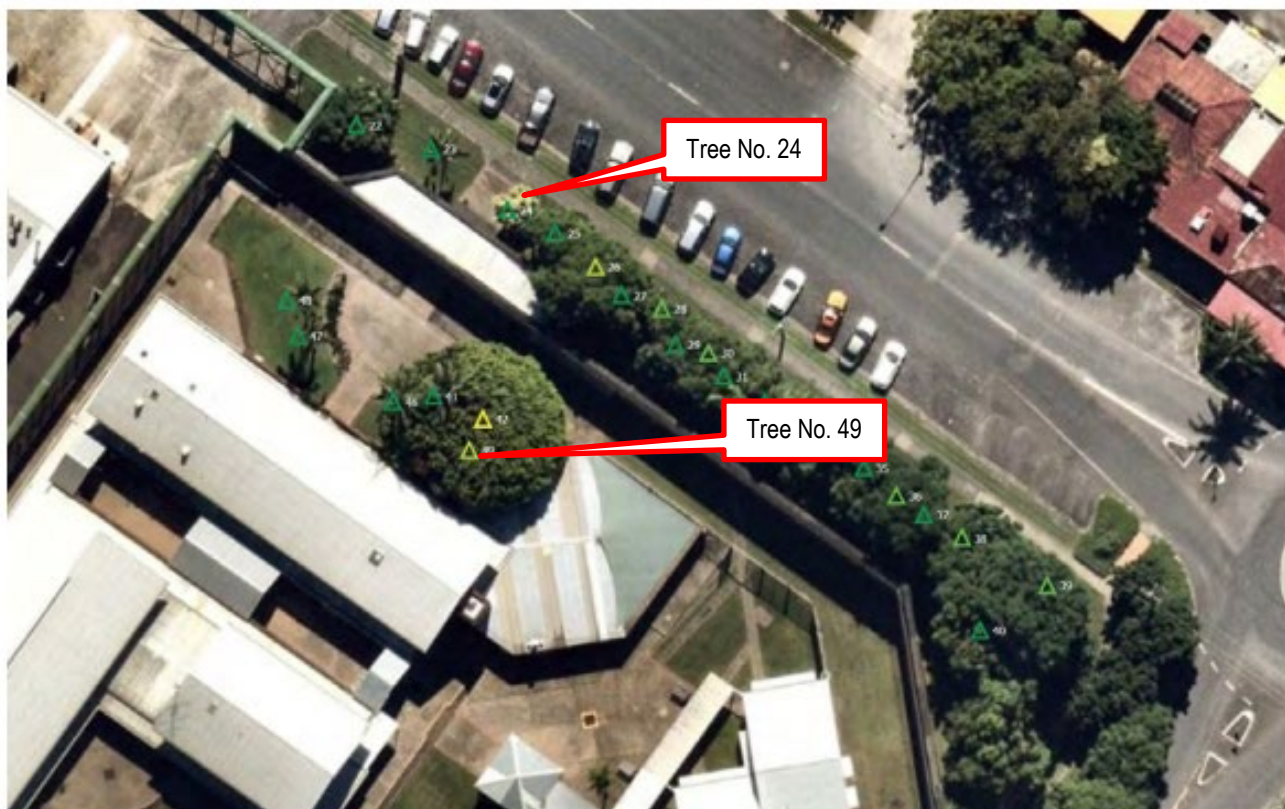
Category B Trees (Moderate Retention Value)

Category C Trees (Low Retention Value)

Category U Tree (unsuitable for Retention)

The AIA identified a number of trees along the Arthur Street Road frontage and a total of six trees (numbered 41, 42, 46, 47, 48 & 49) within the Gaol site (refer to **Figure 5.1** below). These trees are considered to be planted stock and are not significant remnant trees. None of the trees are of national, state or local heritage significance. Only one tree was considered to be a Category A tree; Tree No. 42 is a mature Hills Weeping Fig (*Ficus macrocarpa* var) situated within an existing garden bed in the Gaol forecourt. The remaining trees within the site were classified either Class C (41, 46, 47 & 48) or Class U (49).





**Figure 5.1 Site map of subject trees (Source: Civica Pty Ltd, September 2023)**

The assessment found that the removal of one juvenile Hill's Weeping Fig within the vicinity of the entrance would be required (Tree No. 24). If retained, a redesign of the entry to the Gaol site would be required. Furthermore, the assessment recommended that Tree No. 24 should be removed due to:

- the tree's small stature,
- it's inappropriate location in close proximity to the concrete footpath and heritage wall, and
- its low retention value (Category C).

It also advised that its removal would allow for enhanced visibility into the Gaol entry way.


Tree Number 49, an Umbrella Tree (*Schefflera actinophylla*) within the Gaol forecourt was also recommended for removal. This tree was categorised a Category U and considered to be an "escaped pot plant" and an unsuitable species and location. It is recommended for removal before it negatively affects the stability of the brick wall and/ or an adjoining Fig tree.

The remaining 23 trees were recommended for retention, with measures provided to protect the remaining trees during construction work.

### 5.1.3 Threatened Species

An EPBC Act Protected Matters Report was undertaken on 7 September 2023 to identify records of threatened species recorded within a 1 km x 1 km search area centred on the site (refer to **Appendix K**). Results indicate 36 migratory species and 59 threatened species have been recorded within the search area and potential habitat occurs for three threatened ecological communities. The Clarence River Estuary is listed as a Nationally Important Wetland

Two trees require removal to accommodate the proposed development, being a juvenile *Ficus Hillii*, an ornamental street tree in front of the old Gaol site, and an inappropriately located *Schefflera*



*actinophylla*. As such there will be no loss of habitat. Due to the nature and scope of the proposed works, the Activity would have negligible impacts on biodiversity. The Activity is unlikely to have a significant impact on any threatened species or communities listed under the *BC Act*, *EPBC Act* or *FM Act*.

## 5.2 Soils

### 5.2.1 Geotechnical Investigations

Separate geotechnical investigations have been carried out for both sites: A Preliminary Geotechnical assessment for early works proposed at the former Grafton Gaol site and a Geotechnical assessment for the major redevelopment of the Hospital site. Copies of both assessments are attached as **Appendix L**.

The Preliminary Geotechnical assessment on the former Grafton Gaol site was carried out by Regional Geotechnical Solution Pty Ltd (RGS). The development associated with the old Gaol site involves the refurbishment of existing structures and does not involve the construction of new structures. The Proposal is anticipated to require excavation for the new underground services to be installed, involving excavation to depths of up to 2 m.

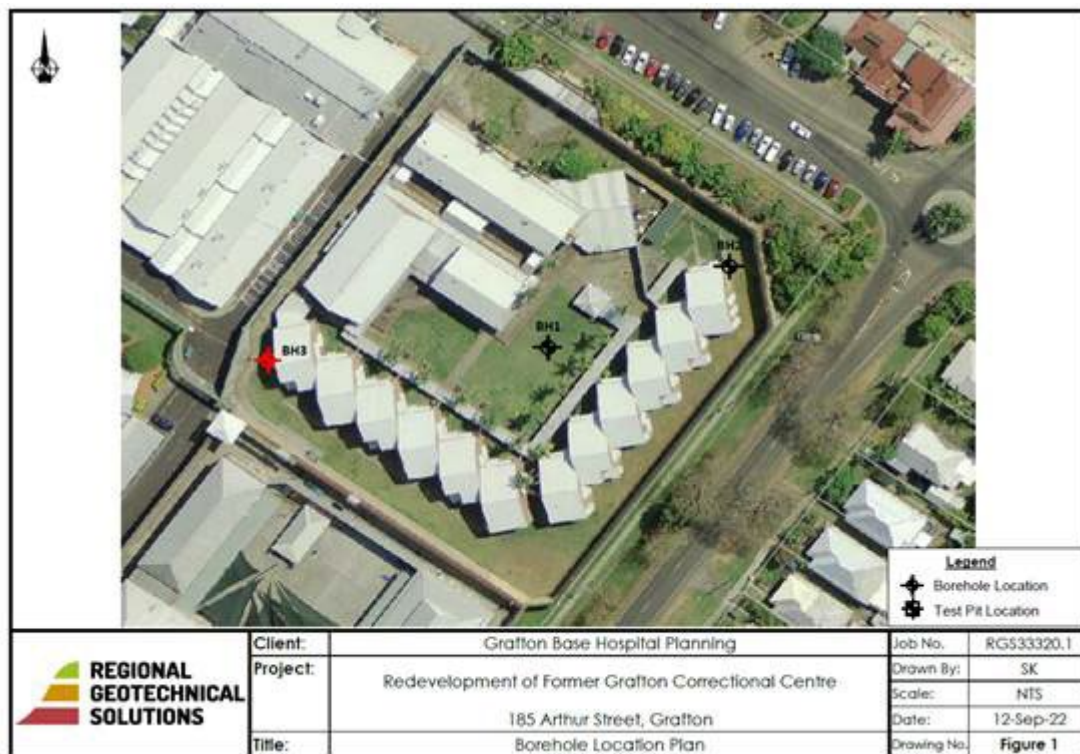
The purpose of this assessment was to provide comments and recommendations regarding:

- Subsurface conditions including the presence of fill, depth to weathered rock and groundwater (if encountered).
- The presence of Acid Sulfate Soils (ASS) and the need for an ASS management plan.
- Excavation conditions.
- Excavation support.

The investigation consisted of a desktop analysis, drilling three boreholes to depths up to 2 m below ground surface level, Dynamic Cone Penetrometer (DCP) testing adjacent to the boreholes as considered appropriate for the materials encountered and collecting of samples for lab testing.

RGS obtained a copy of a geotechnical report undertaken by Public Works issued in July 1983 prior to construction of the existing structures in the portion of the Gaol site that forms their assessment. This previous investigation included drilling eleven bore holes that were drilled to depths of between 5.3 m and 15.48 m. Standard Penetration Tests (SPTs) were undertaken at regular intervals. A summary of four 'soil groups' encountered was presented in the assessment and groundwater was measured at an average depth of 3 m in the east of the site. Recommendations were made regarding the proposed development and further investigations were recommended.





**Figure 5.2 Borehole Location Plan (BH1, BH2, BH3) – Gaol Site**

RGS were also engaged to undertake a Geotechnical assessment for the Hospital site. This investigation involved the same methodology and was prepared for the major redevelopment works of the Hospital site, which is a later stage of the Hospital upgrade. The information and recommendations therefore relate to major development works. However, relevant information relating to subsurface conditions, Acid Sulfate Soils and excavation works is addressed below.

## 5.2.2 Existing Soil Conditions and Subsurface Materials

**Gaol Site:** The site is flat with a surface elevation between 6 and 7 m AHD and is situated within a region characterised by gently undulating alluvial deposits associated with the Clarence River. The buildings observed on site were in fair condition, with no major cracks that could be attributed to poor foundation conditions.

The subsurface conditions for the site are described as being underlain by Alluvial Levee Deposits that comprise fluviially deposited sand, silt, and clay, and by Alluvial Paleochannel Deposits that comprise gravel and clayey sand. The borehole drilling discovered materials that are summarised in the following table. Groundwater was not encountered within the boreholes (noting groundwater levels fluctuate due to inclement weather, seasonal variations, tidal influences or due to reasons that may not have been apparent at the time of the site investigation).

**Table 5.1 Summary of Materials (source: Preliminary Geotechnical assessment, RGS Pty Ltd)**

| Material Name | Material Description  | Depth to Base of Material Layer (m) |        |        |
|---------------|---|-------------------------------------|--------|--------|
|               |   | BH1                                 | BH2    | BH3    |
| Fill          | Clayey Gravelly SAND, fine to coarse grained, very dense, brown to orange-brown, fine to coarse ironstone and sandstone gravel, medium plasticity clay, trace of sandstone cobbles. | -                                   | ≥0.65* | ≥0.65* |
| Topsoil       | Silty SAND, fine grained, brown, low plasticity silt.   | 0.3                                 |        |        |
| Alluvial Soil | Sandy SILT, low plasticity, very stiff, brown to dark brown.  | ≥2.0                                |        |        |

Note: ≥ Indicates that base of material layer was not encountered  
 \* Indicates that the borehole was terminated due to no sample recovery  
 - Indicates that the material was not encountered at the test location

**Hospital Site:** The Hospital site is surrounded by residential land use. Historical photos indicate that the Grafton Hospital was in existence since before 1954, with the eastern portion of the site associated with the proposal developed in the late 1960s to early 70s. This area generally comprises a number of hospital buildings and hardstand areas associated with pavements, internal access ways and parking areas. The proposed work sites are in areas of existing lawn or paved surfaces.

Subsurface conditions for the Hospital site are described as underlain by Quaternary Alluvium comprising silt, sand, clay and gravel and by Holocene aged levee deposits including fluvial sand, silt and clay which are in turn underlain by Quaternary aged valley fill comprising fluvial sand and gravel. Details of the results of twelve boreholes are provided and potential constraints identified at depths of 5-11 m deep. Groundwater seepage was encountered at depths of between 5.0 and 5.8 m.


It is noted that the boreholes were taken in the north-western portion of the hospital site and not in the location of the proposed works. However, the results from sampling are likely to be consistent across the site. Furthermore, the depth of earthworks required for the proposed works are not anticipated to exceed 2 m, and therefore will not be subject to the identified constraints. The recommendations in the report generally relate earthworks associated with major works and are not relevant to the current early works the subject of this Proposal.

### 5.2.3 Acid Sulfate Soils (ASS)

Both sites are located within land mapped as containing Class 4 ASS pursuant to Clarence Valley Local Environmental Plan 2011. As part of the Geotechnical investigation for the Gaol site an assessment was undertaken to determine the presence of ASS at the site and the need for an ASS Management Plan.

The triggers for a management plan for Class 4 land in the CVLEP 2011 are: *Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.*

Four soil samples were obtained from Bore Hole 1 (BH1) which were screened from the presence of actual or potential ASS. Based on results of the assessment, detailed soil sampling and field testing is not required as the site soils within the upper 2 m of the soil profile are not considered to be either actual or potential ASS. Therefore, an ASS Management Plan is not required for excavations up to 2 m deep.



Samples taken at fourteen locations across the Hospital site were also screened for potential ASS. The findings were consistent with results for the Gaol and are anticipated to be the same across the site. The Geotechnical Assessment for the Hospital site determined that no samples exceeded the criteria for action between 0 and 5 m depth. Soil samples that exceeded the action criteria were generally between 5 and 11 m depth and therefore treatment and ASS Management Plan would be required for excavation below 5 m deep, which is not required for the early works proposed on Hospital land.

#### 5.2.4 Earthworks

The proposed works for the Gaol site anticipate excavations to depths of about 2 m. Based on the results of the assessment the excavation of service trenches to depths of about 2 m can be undertaken with small to medium sized plant of at least 5 tonnes. The report recommends vertical batters should not be undertaken without appropriate engineer designed support measures and provides recommendations regarding maximum temporary and permanent batters. If it is not possible to achieve the recommended batters due to space constraints, it is recommended shoring boxes are allowed for.

The works proposed for the hospital site will require minor earthworks for the installation of services. The earthworks required for the ICT services installation linking the two sites, are not anticipated to exceed 2 m depth.

#### 5.2.5 Erosion and Sedimentation Control

Details of erosion control measures have been provided with **Appendix G**, as well as a Sediment and Erosion Control Plan prepared for the Gaol site. Any soil disturbance at both sites would be minimal and subject to standard soil and erosion control measures. Given the features of the site and nature of the proposal, soil and water can be effectively managed during any earthworks required to facilitate the subdivision and it will not affect environmental values. Controls would be in line with relevant authorities. This will include Council requirements, the EPA and *Managing Urban Stormwater Soils and Construction* ("the Blue Book").

### 5.3 Land Contamination


A Stage 1 & Preliminary Stage 2 Contamination Assessment and a Stage 2 (Detailed) Site Contamination Assessment was carried out by Regional Geotechnical Solutions Pty Ltd (RGS) on the north-east portion of the former Grafton Gaol site (refer to **Appendix I**). An area of approximately 9,800 m<sup>2</sup> forms the portion of the site under assessment.

The purpose of the contamination assessment was to:

- Characterise the nature and extent of soil contamination present on the site (if any).
  - Assess suitability of the site for future residential land use (assumed temporary or short-term accommodation).
- Provide recommendation for on-site management, the need and options for remediation and any further investigation and testing that may be required.

#### 5.3.1 Site, Topography and Drainage

The site is flat, with a surface elevation between 6 and 7 m AHD and is situated within a region characterised by gently undulating alluvial deposits associated with the Clarence River. Drainage is



anticipated to be via infiltration into the upper soil profile or via surface flows into the site stormwater system.

The site is occupied by two storey brick structures and associated amenities within vegetated surroundings, consisting of maintained grasses and well-established garden beds comprising mature trees and shrubs. Descriptions of the soils and subsurface conditions on site, as assessed in the Preliminary Geotechnical assessment, are provided in **Section 5.2**.

A licenced groundwater bore (GW302061) was identified 440 m south-east of the site, which was drilled to a depth of 21 m on 26 November 1998. The bore is licensed for irrigation purposes and its licence status is current.

### **5.3.2 Site History**

A review of historic aerial imagery helped identify past land uses that may contribute to site contamination. Based on the data obtained, the chronological development of the site is summarised below:

- Prior to the 1980s (earliest aerial image is from 1954) the site was vacant, cleared of vegetation, and appeared to be used for agricultural purposes.
- In the 1980s the existing structures associated with the current site were constructed as an extension of the original Gaol facility.
- The site appears to have remained largely unchanged from its original state in the 1980s up until today.

A site visit undertaken in 2022 made observations of the site and buildings from a potential contamination perspective and noted the following:

- Above ground Liquefied Petroleum Gas (LPG) tanks and underground fuel storage tanks are located beyond but close to the northwest boundary of the site.
- Airconditioning and hot water heaters are located on external walls of some structures.

A draft 'Hazardous Materials Survey Report' prepared in 2010 for the Gaol facility found Bonded Synthetic Mineral Fibres (SMF) within ceiling cavities, hot water systems and within bathroom facilities, as well as ozone Depleting Substances (ODS) within air conditioning units. A non-destructive materials survey undertaken in 2022 also observed bonded SMF insulation batts in the roof cavity and ceiling linings of building within the site.

### **5.3.3 Contamination Assessment**

The assessment identified three Potential Areas of Environmental Concern (AECs):

- AEC1: Former agricultural land use (the entire site).
- AEC2: Soils and groundwater around the above LPG tanks and underground fuels tanks.
- AEC3: Isolated areas of soil contamination associated with construction and maintenance of the existing structure/ infrastructure (the entire site).

The report determined the likelihood of contamination of these areas was low to moderate (AEC1), low to moderate (AEC2), and low (AEC3). The assessment also outlined potential exposure pathways and receptors for some chemicals of concern.



### 5.3.4 Preliminary Stage 2 Assessment

A preliminary Stage 2 assessment of the site included soil sample collections at six locations nominated by HI as being areas of concern due to potential for future ground works in those areas.



**Figure 5.3 Borehole Location Plan for Preliminary Stage 2 Assessment**

The results of the laboratory analysis of soil samples collected from locations where development is proposed (as nominated by HI) revealed concentrations of chemicals of concern either below the level of laboratory reporting, or below the Health Investigation Levels (HIL) or Ecological Investigation Levels (EIL) for a Residential A site.

The Preliminary Stage 2 assessment indicates that the site is likely to be suitable for residential land use from a contamination perspective, however, a detailed Stage 2 contamination assessment is required.

### 5.3.5 Stage 2 Site Contamination Assessment

The detailed Stage 2 contamination assessment included:

- Targeted soil sampling and analysis at the selected Areas of Environmental Concern.
- Installation of a groundwater well in the north-west corner of the site followed by water sampling and analysis.
- Analysis of soil and water samples for a suite of potential contaminants associated with the past activities.
- Evaluation of the results against industry accepted criteria for the proposed land use and provision of recommendations regarding the need for further assessment and/ or remediation.



**Figure 5.4 Borehole and Sample Location Plan for Stage 2 Assessment**

Sampling and analysis of soil samples was undertaken in accordance with NSW EPA (1995) *Sampling Design Guidelines*. For a site of 9,800 m<sup>2</sup>, surface sampling at 21 locations was required across the site. A systematic sampling pattern was adopted, as well as a judgemental approach used to target the Areas of Concern previously identified in the Stage 1 and Preliminary Stage 2 Site Contamination Assessment.


The collection of 16 near surface soil samples were taken in August 2023 to supplement the samples collected during previous assessments. A groundwater monitoring well (BH101) was installed to a depth of 7.5 m within the AEC2 in the north-west corner of the site to allow for collection of water samples.

All samples were obtained using industry accepted protocols for sample treatment, preservation and equipment decontamination. The results of the laboratory analysis of soil and groundwater samples collected from the targeted locations revealed concentrations of chemicals of concern either below the level of laboratory reporting or below the adopted HIL/HSL (Health Screening Levels) or EIL/ESL (Ecological Screening Levels) for a residential site.

Based on the results of Stage 2 site contamination assessment, it is considered that the site is suitable in its current state for the proposed residential land use with regards to the presence of soil contamination. A Remedial Action Plan (RAP) is not required, provided the recommendations of the report are adopted and site works are conducted in accordance with appropriate site management protocols and legislative requirements.

The report recommended:

- should potential evidence of site contamination be identified during development activities (such as soil staining, buried material or odours) then a site contamination special should be contacted without delay; and

- 
- should unidentified fill materials be encountered that require removal off site, assessment for a *Resource Recovery Exemption* under Part 9, Clauses 91 and 92 of the *Protection of the Environment Operations (Waste) Regulation 2014* in accordance with the *Resource Recovery Order* under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014* – the *Excavated Natural Material (ENM) Order 2014*, will be required.

## 5.4 Hazardous Materials and Waste

### 5.4.1 Former Grafton Gaol Site

Ballpark Environmental Pty Ltd prepared a Hazardous Materials Survey and Register for the former Grafton Gaol site (refer to **Appendix M**). The objective of the hazard materials survey was to identify hazardous materials that may be present in accessible areas on the site.

A survey of the external and internal accessible areas of the former Grafton Gaol was carried out on 11 August 2022 and the only hazardous material identified on site was Bonded Synthetic Mineral Fibres (SMF). Bonded SMF insulation batts were observed in the roof cavity and ceiling linings of buildings of the former Grafton Gaol. The report suggested bonded SMF was also likely to be present in the hot water systems.

At the time of the survey (based on visual observations and test results):

- No Friable or non-Friable Asbestos Containing Materials (ACM) were identified on the site.
- No Lead based systems were identified on the site.
- No polychlorinated Biphenyls (PCB) containing capacitors, transformers or other electronic devices were identified.

The report noted the following areas had no or limited access at the time of the hazardous materials survey:

- Roof of the building.
- Internal roof cavity above internal ceiling.
- Subfloor areas beneath concrete slabs and buildings.
- Beneath ceramic tiles, wall cavities, concrete slabs, subfloors, and within internal wall partitions.
- Fire doors (which should be assumed to contain ACM until laboratory testing proves otherwise).

For these Areas of No Access that have been identified, it should be presumed that potentially hazardous materials, including asbestos, are present in these areas until further investigation can confirm or refute the presence.

The findings of this hazardous materials survey recommends that prior to any demolition, partial demolition, renovation, or refurbishment, SMF materials likely to be disturbed by those works should be removed in accordance with the *National Occupational Health and Safety Commission (NOHSC) Code of Practice for the Safe Use of Synthetic Material Fibers [NOHS:2006 (1990)]*.

## 5.5 Stormwater and Flooding

The development proposal is limited to refurbishment of internal areas of existing buildings and does not involve an increase in impervious areas external to the building.

Health Infrastructure engaged Acor Consultants to prepare a Civil Engineering report for the proposed redevelopment of the former Correctional Centre site (refer **Appendix E**).





### 5.5.1 Stormwater

#### Stormwater Quality

The report addresses Part G Sustainable Water Controls of the Clarence Valley Council DCP. In relation to Council's default targets for pollutants, the report notes that the proposed Gaol site development does not involve any increase in impermeable areas or amendment of pavements. Under Table G1 of the DCP, developments with no increase in impermeable surface (post development) are not required to meet water quality targets as outlined in the DCP.

While the report notes that the proposal does not warrant a reduction in pollutants or requiring to meet the water quality targets, measures are proposed to reduce the pollutants as part of the proposed redevelopment. Proposed Water Sensitive Urban Design (WSUD) treatment measures nominate for the proposed development include the following:

- Gross pollutant traps (GPTs) – Ocean Protect OceanGuard pit baskets installed at the upstream grated pits.
- Ocean Protect PSorb StormFilter Cartridge within the downstream pits prior to discharge into the Council stormwater drainage system.

#### Stormwater Quantity Management

Council's DCP requires that stormwater runoff volumes and frequency should be reduced or maintained to pre-development volumes through harvesting, retention, infiltration, and detention as appropriate. As there is no increase in impervious area, the stormwater runoff peak flow will not increase from the post development figures. The existing pits and pipes system will be retained and will maintain its function post-development. Water quality treatments are proposed to reduce pollutants within the stormwater runoff. The installation of the filter cartridge will provide a level of on-site detention, as there is a weir to facilitate the required water level within the cartridge chamber.

An overall stormwater quality and quantity management plan is included in Appendix 1 of the report (**Appendix E**).

### 5.5.2 Flooding

As shown in **Figure 5.5** below, Council's flood planning mapping identifies that the Hospital site is partially within the Flood Planning Area (FPA) and the Correctional Centre site is fully within the FPA.

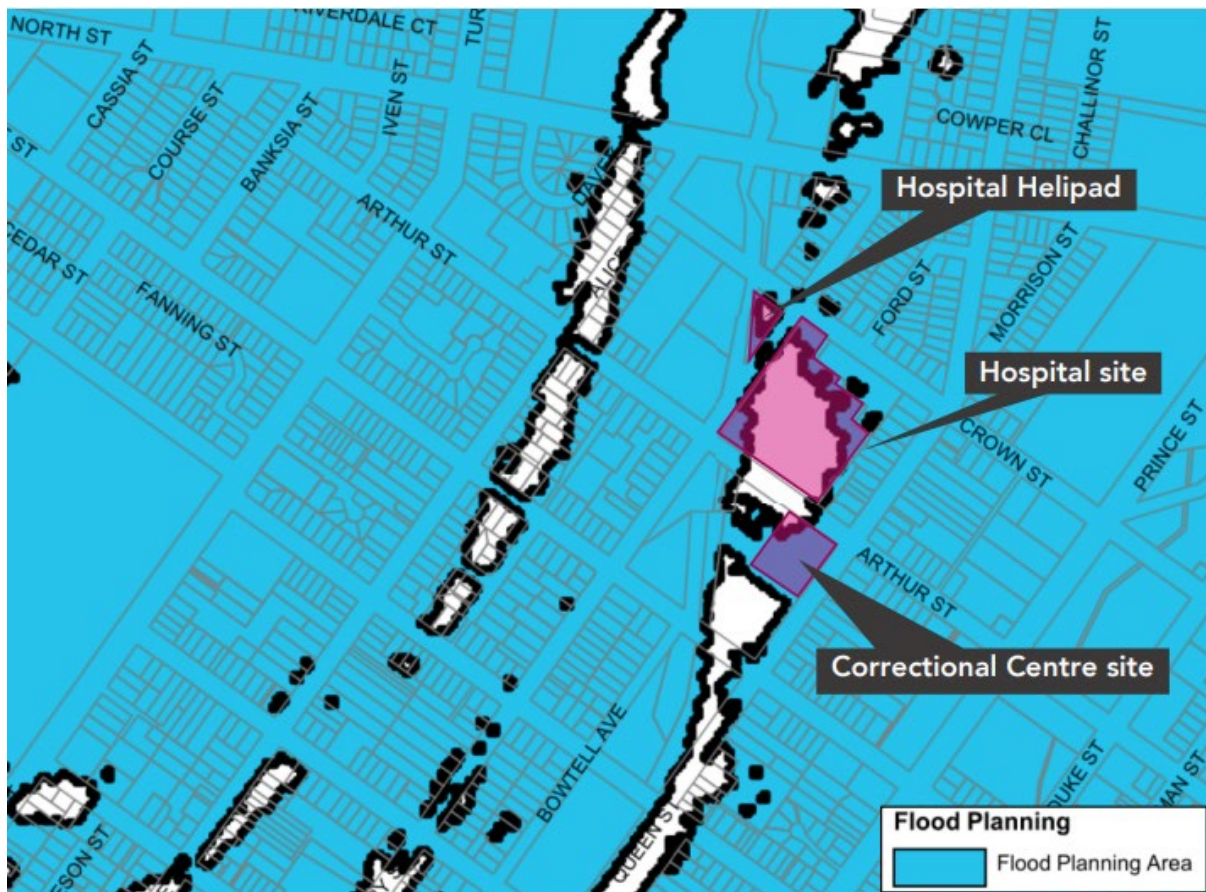


Figure 5.5 Extract from Flood Planning Map (Source: NSW Legislation)

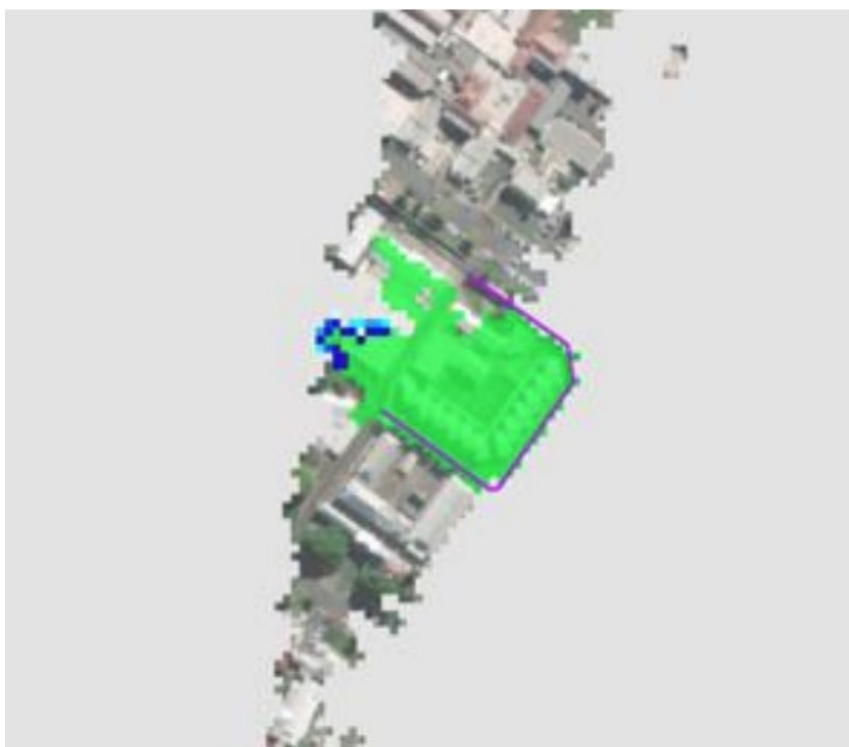
#### Lower Clarence Flood Model Update 2013

The Lower Clarence Flood Model Update 2013 was prepared by BMT WBM in September 2013 via an upgraded computer model (provided as Appendix 2 in **Appendix E**). This assessment updated the previous Grafton and Lower Clarence Floodplain Risk Management Plan 2004 which provided a PMF of RL9.00 m Australian Height Datum (AHD) for Grafton (inside the levee) and was prepared in June 2007 based on 2004 flood results.



**Figure 5.6 1 in 100 year flood event map (source: CVC Intramaps, Acor September 2023)**

The 2013 Flood Planning Level Modelling provided both 1% AEP and PMF results for the sites. The resultant mapping at the Hospital and Correctional centre site (provided at **Figure 5.6** above) included climate change scenarios and indicated an approximate 1% AEP flood level of RL7.0 m AHD and a PMF of RL9.0 m AHD. The 1% AEP flood level for the Correctional Centre site is approximately RL 7.08 AHD. However, the flood model for the existing flood map did not include any potential effect of the prison walls. BMT completed updated modelling which included the prison walls. These results (refer **Figure 5.7** below) show that the area previously identified to be flood affected is now not flood affected (shown in green below). Consequently, the Correctional Centre site is not identified as being affected by the 1% AEP flood event.



**Figure 5.7 Updated 1% AEP Flood mapping (source: BMT, Acor September 2023)**





## Development Control Plan

Part D of the Clarence Valley Development Control Plan (DCP) 2011 outlines Floodplain Management Controls for the Clarence Valley LGA. Different flood management controls are applied depending on the category of use. For Critical Uses and Facilities (i.e. hospitals) habitable floor levels must be no lower than the Probable Maximum Flood (PMF) level. The flood risk assessment (refer **Appendix E**) argues that the development can be classified as Concessional Development in accordance with Schedule D2 as it meets the requirements of “(b) (iii) A change of use which does not increase flood risk having regard to property damage and personal safety”. The change of use is consistent with a Business Land Use (non-critical facility), and as such should be subject to those requirements. The Business Land Use requirements that are applicable are as follows:

*“Commercial and Industrial Floor and Pad Levels – Primary habitable floor levels to be no lower than the 100 year flood level plus freeboard. The primary habitable floor levels for infill development in Grafton, South Grafton and the Heber Street Catchment may be reduced to no lower than 6.4, 7.1 and 8.0m AHD respectively”.*

The old Gaol site is to be used for administration purposes ancillary to the Hospital. The flood risks are considered to be no greater than that of the previous use. It is therefore considered that the protection of the site should therefore be consistent with the requirements of the DCP for concessional development. For the proposed development, the floor levels are set – as the proposed development is for change of use of existing buildings. As such, the building floor levels can't be adjusted. The existing floor levels comply with the requirement of being above RL6.4 m AHD (requirement for Grafton infill development). In fact, the floor level exceeds this requirement by 700 mm.

## Emergency Management & Flood Evacuation

The sites are subject to existing emergency management strategies for the Grafton and South Grafton regions and includes the Clarence Valley NSW SES Locality Response Arrangements which forms Volume 3 of the Clarence Valley Local Flood Plan. This Plan outlines an estimated 'doorknock' time of nine hours with 35 SES teams (based on an estimate of 3,800 properties at risk within the North Grafton region). On top of the 'doorknock' time, an additional warning lag factor of one hour and a warning acceptance factor of an hour is also considered for SES sequencing of evacuation.


The Clarence Valley Flood Emergency Sub Plan details response operations and measures for all levels of flooding within the CVC LGA. Key warning triggers at the Prince Street gauge are at 2.10 m (minor), 3.60 m (moderate) and 5.4 m (major). Evacuation triggers are in place based on Bureau of Meteorology (BoM) flood height predictions Prince Street gauge for the Grafton area. The subject sites lie within Sector B in the local flood plan map, where evacuation triggers at a predicted flood height of 8.2 m or greater.

## NSW Government Response to the NSW Independent Flood Inquiry

The NSW Independent Flood Inquiry arose as a result of catastrophic flooding in February-March 2022. Recommendation number 28 relates to Essential Services and Floodplain Infrastructure, which includes the following:

*That, to minimise disruption to essential services (power, communications, water, sewerage) and to ensure flood infrastructure is fully serviceable before flooding, Government ensure:*

- *essential service infrastructure (communications, water, power and sewerage) is situated as much as possible above the flood planning level. And to minimise disruption to medical services, aged care services and the police, Government ensure hospitals, medical centres, nursing homes, aged care facilities and police stations are situated above the probable maximum flood level.*

- 
- floodplain infrastructure (drains, levees, flood gates) items are all assigned to an appropriate lead agency which has responsibility for ensuring they are fully maintained and functioning especially when floods are likely.

The NSW Government's response to the above is supportive in principle, however noted further work required on implementation as per the below:

*"NSW Government will ensure future essential services infrastructure development occurs above the flood planning level, where appropriate. Consideration will be given to how to encourage private sector essential infrastructure developers to take the same approach."*

### **Planning circular PS 24-001 Update on addressing flood risk in planning decisions**

This circular supplements PS 21-006 Considering flooding in land use planning: guidance and statutory requirements and provides additional information to planning authorities in relation to addressing flood risk in land use planning and development assessment under the *Environmental Planning and Assessment Act 1979* (EP&A Act). The circular outlines existing flood-related planning policies and provides further information and advice on their application in planning. The circular also provides updates on flood-related policy initiatives underway, including action taken in response to the 2022 NSW Flood Inquiry.

It outlines the Department of Planning, Housing and Infrastructure's recommended risk-based approach to the assessment of flood-affected proposals, including planning proposals, local and regional DAs, State significant development applications and State significant infrastructure applications. The circular states that this risk-based approach should take into account the flood risk profile of each proposal which considers the flood characteristics for the location, the nature and type of development and any impacts on the existing community and surrounding properties.

The former Gaol site is to be used for administration purposes only which is considered a low risk use in comparison to most. The existing floor levels of the proposal exceeds the concessional development requirements of the DCP. It is not considered feasible to protect the site to the PMF level. Furthermore, updated flood modelling assessed the effect on flooding of the existing Gaol wall and the proposal would not result in any impact in events up to and including the 1% AEP flood event, as the site is not affected by those events.


## **5.6 Traffic, Access & Parking**

### **5.6.1 Existing Environment**

The development sites are located on opposite sides of Arthur Street, the Grafton Base Hospital site on the northern side and the former Grafton Correctional site on the southern side.

The hospital fronts Arthur Street, with main entry points, including Ambulance and service vehicles, located along Arthur Street. Further access to the rear of the hospital is also available to the north off Crown Street. Onsite parking is accessible from both Arthur and Crown Streets and on-street parking is available along both street frontages.

The redevelopment of the old Gaol site is in the north-east corner of the former Correctional Centre site, with Lot 2 DP1276261 created to facilitate the hospital redevelopment. Lot 2 DP1276261 retains a single access point through the entry gates off Arthur Street. The remainder of the old Gaol site retains its primary frontage and main entry along Hoof Street to the south, as well as an internal service laneway through to Arthur Street, on-street parking, and onsite parking.



Arther Street is a two-way urban collector road, approximately 22 m wide. Angled parking is located along both site frontages (45-degree reverse-in). A concrete footpath fronts both sites.

### 5.6.2 Impact Assessment

Health Infrastructure commissioned a Transport Impact Assessment (TIA) for the proposed development which is attached as **Appendix F**. The purpose of the assessment was to review traffic and transport impacts and any requirements relating to the incorporation of part of the section of the former Gaol site into the administration and training operations of the hospital.

The TIA noted that the section of Arthur Street fronting the development sites “exhibits a level of vehicle impedance” because of on-street parking, turning traffic from commercial and residential driveways, and general hospital traffic and ambulance vehicles. Prior to its closure, there would have been some parking along Arthur Street associated with the correctional centre, however most of the vehicle activity would have been in Hoof Street to the south. Since its closure in 2020 however, parking and traffic demands associated with the former Gaol no longer exists, resulting in a slight reduction in traffic and parking activity, particularly in Hoof and Queen Streets. The TIA also noted that despite the location of pedestrian pathways and pedestrian ramps along Arthur Street, pedestrian access is currently restricted due to several factors, such as the location of driveways, conflict with reverse parking, inadequate line-marking, and lack of pedestrian refuge facilities.

#### Traffic Assessment


As the Proposal will relocate existing administration and training services from the existing GBH to the former correctional site, the Proposal is not expected to generate a net increase in traffic generation, with existing staff anticipated to utilise the same parking facilities. As a result, the TIA found that there is no need to upgrade any nearby intersections.

The Proposal will result in a small number of service vehicle movements, estimated to be a maximum of five vehicles per day involving small and medium sized vehicles. The largest vehicle is likely to be used for garbage collection, generating a weekly kerb-side collection service.

#### Pedestrian Assessment

The proposed redevelopment of part of the former Correctional Centre to facilitate services associated with the hospital is expected to create a “pedestrian movement relationship” between the two sites. As a result, and in consideration of the identified deficiencies relating to existing pedestrian movement in Arthur Street, the TIA recommended several improvements to pedestrian crossing facilities in Arthur Street, as well as some minor improvements to on-street parking configurations. These include the following:

- Installation of a pedestrian refuge crossing on Arthur Street between the general access driveway and ambulance driveway to the GBH.
- Relocation and installation of pedestrian ramps on Arthur Street at the new crossing point and connection to the pathway network on both sides of the road.
- Installation of pedestrian ‘build-outs’ on either side of the pedestrian crossing to separate from on-street parking movements and increase protection for pedestrians.
- Update on-street parking line-marking to formalise parking spaces in proximity to the crossing and adjacent driveways.
- Installation of central lane line marking and chevrons to delineate through traffic movements as well as turning movements to adjacent GBH driveways.
- Removal of ten on-street parking spaces on Arthur Street to accommodate the proposed pedestrian crossing.



The above improvements will result in a minor reduction to on-street parking immediately adjacent the hospital. However, in consideration of the safety benefits that these improvements will provide, this minor reduction is acceptable. The TIA also notes that any future planned redevelopment of the GBH would be expected to incorporate further improvements in parking and pedestrian facilities across the wider precinct.

### Parking Assessment

A parking study undertaken for the Grafton Hospital site identified a total of 299 car parking spaces, which consists of 174 on-street parking spaces and 125 off-street spaces. The on-street parking areas are well established for use as part of the Grafton health precinct.

The TIA considered that the proposal to incorporate the new site on the southern side of Arthur Street into the GBH operations will not constitute a net increase in parking demands. This is due to the incorporation of existing hospital staff into the refurbishment of part of the former Correctional Centre. Furthermore, “the additional floor space and ‘potential demands’ will be offset by the staged decanting of the existing site to accommodate the greater masterplan redevelopment of the precinct.” Further improvements to on-street parking will be considered in the further redevelopment of the hospital site.

### **5.6.3 Conclusion**

The proposed development is not anticipated to significantly increase traffic movement onto the surrounding road network, warranting the need for improvements to nearby intersections, nor is it anticipated to create additional demands on existing carparking. Improvements to the existing parking and pedestrian facilities are recommended however, to improve pedestrian safety and to address potential conflict between vehicles and pedestrian movements as a result of the relocation of hospital related activities to the site on the opposite side of Arthur Street.

It is recommended that the following mitigation measure be considered to improve pedestrian safety:

1. Construct a pedestrian crossing facility on Arthur Street fronting the site to the satisfaction of Council. The pedestrian facility must be designed with consideration to:
  - (a) Council’s specifications.
  - (b) Austroads Guide to Traffic Management Part 8: Local Street Management (2020).
  - (c) Austroads Guide to Road Design Part 4: Intersections and Crossings General (2023).
  - (d) Australian Standards Manual of Uniform Traffic Control Devices Part 10: Pedestrian Control and Protection (AS1742.10) (2009).
  - (e) Australian Standards Design for Access and Mobility Part 1: General Requirements for Access – New Building Work (AS1428.1) (2009).
  - (f) Australian Standards (AS2890.5 – On-street Parking Facilities).

## **5.7 Aboriginal Heritage**

The Traditional Custodians of the Clarence Valley area are the Bundjalung, Gumbaynggirr and Yaegl nations. The proposal is located within the Grafton Ngerrie Local Aboriginal Land Council (LALC) area.

The sites are within part of the former Grafton Correctional Centre site and the Grafton Base Hospital site, and therefore have been highly modified and disturbed with few, if any, natural features remaining. Both sites have been historically cleared and associated with the hospital and former Gaol use. The sites contain existing buildings, parking and hard stand areas. The development area therefore meets the definition of disturbed land as defined under the Due Diligence Code of Practice for the Protection of Aboriginal Objects (DECCW 2010).





### 5.7.1 Impact Assessment

An Aboriginal Cultural Heritage (Due Diligence) Assessment for the proposed has been prepared Tim Hill Heritage Management and Planning Pty Ltd for the proposed at the Grafton Base Hospital and former Grafton Correctional Facility. A copy of the assessment dated April 2024 is attached as **Appendix D**.

Both the Gaol site and the Hospital site have been subject to significance ground disturbance as defined by the Due Diligence Code of Conduct (DEECW 2010A), being disturbance that is “clear and observable”. The nature of this ground disturbance would significantly reduce the likelihood that Aboriginal archaeological sites will be retained within the site. As such, no additional archaeological investigation is required to comply with the requirement of the Due Diligence Code of Practice.


A search of the Aboriginal Heritage Information Management System (AHIMS) noted three sites in close proximity to the study area, however these sites are not within the development site.

A visual inspection of the site was undertaken by Tim Hill, accompanied by Sterling Brown who is a representative of the Gumbayngirr and Bundjalung people and an experienced Aboriginal sites officer in Grafton and the Clarence Valley. No Aboriginal sites were recorded during the inspection and all landforms onsite were assessed as having low potential to contain Aboriginal objects in subsurface archaeological deposits. Furthermore, it was noted during the site inspection that the proposed early works would not have a significant change to the landscape and involved land that had been already disturbed. It was also noted that the hospital was important for the Aboriginal community and that the redevelopment would have positive outcomes for Aboriginal people in the region.

The Aboriginal Cultural Heritage (Due Diligence) assessment concluded that the early works proposed as part of the Grafton Base Hospital Redevelopment will not likely result in harm to Aboriginal objects. Therefore, an AHIP (Aboriginal Heritage Impact Permit) and additional archaeological excavation is not required, and the works can proceed under the Due Diligence approval pathway (*NPW Act 1974* Section 87(2)).

The following recommendations were provided as precautionary measures:

1. It is recommended that if it is suspected that Aboriginal objects have been uncovered as a result of ground disturbance within the Study Area:
  - a. Work in the surrounding area is to stop immediately and records made of the finds via project reporting procedures.
  - b. A temporary fence is to be erected around the site and appropriate controls put in place to ensure that no additional ground disturbance happens in the vicinity of the find.
  - c. An appropriately qualified archaeological consultant and a representative of the Grafton Ngerrie Local Aboriginal Land Council are to be engaged to identify the material and provide an initial assessment of the significance of the object and the likely nature and extent of any associated archaeological sites.
  - d. If the material is found to be of Aboriginal origin, the find must be reported on the AHIMS database.
  - e. In the event that the Aboriginal objects are considered to have been damaged or disturbed, the incident must be reported through the NSW Enviro Hotline.
  - f. Works may only recommence after advice from Heritage NSW on the requirement for an AHIP or where design, engineering or construction measures are identified to mitigate further damage to the Aboriginal site (i.e., site avoidance).
2. It is unlikely that human remains will be located at any stage during ground works within the Project Area. However, should this event arise, all works must halt in the immediate area to prevent any further impacts to the remains. The burial site should be cordoned off and the remains



themselves should be left untouched. The nearest police station (Grafton), Grafton Ngerrie LALC (South Grafton) and Heritage NSW (Parramatta) are all to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the police do not wish to investigate the site for criminal activities, the Aboriginal community and the Heritage NSW should be consulted as to how the remains should be dealt with. Work may only resume after agreement is reached between all parties, provided it is in accordance with all parties' statutory obligations.

## 5.8 Non-Aboriginal (Historic) Heritage

A review of the State and Local heritage lists, and Section 170 State Agency register has been undertaken. The Grafton Correctional Centre, including the subject site (i.e., Lot 2 DP1276261) is listed on the NSW State Heritage Register (SHR809) and as an item of Local heritage significance in Schedule 5 the CVLEP 2011 (I109). The site is also identified on the Section 170 register. The development site is not located in the Grafton Conservation Area.

### 5.8.1 Preliminary Heritage Advice

Preliminary advice provided by Everick Heritage dated 26 August 2021 (refer **Appendix C**) indicated that redevelopment of the north-east corner of the former Correctional Centre site would respect or enhance the heritage significance of the item for the following reasons:

- Redevelopment in the north-east corner would avoid the original fabric of the Grafton Correctional Centre.
- Adaptive re-use for health purposes may allow for future long-term sustainable use and maintenance of the heritage item, including the removal of modern features which potentially distracts from the heritage value of the site.
- The original structures located in the south-east corner of the Grafton Correctional Centre would be avoided, allowing for sympathetic, future developments.

It also provided the following advice relating to aspects of redevelopment which could potentially have a detrimental impact on the heritage significance:


- The Proposal involves a change of use that differs from the original purpose and function of the site as a Gaol. However, the Gaol has been made "functionally redundant" because of being decommissioned, and therefore a new use that is compatible with the heritage item would be a positive outcome for the long-term management of the site.
- Removal of the brick wall, including the 1970's extension, would have the potential to significantly impact on the visual amenity of the Grafton Correctional Centre. Therefore, the option to retain the extension should be considered as an option.

Overall, the preliminary advice concluded that the proposed redevelopment of the former Correctional Centre site would not likely result in a significant material change to the Grafton Gaol State heritage site.

### 5.8.2 Statement of Heritage Impact

Since the above advice was obtained in 2021, the proposed redevelopment has undergone design changes. The current proposal involves alterations to Block A and B and the Arthur Street Gatehouse and includes the construction of a new link bridge. The existing brick wall will be retained.

A Statement of Heritage Impact dated 6 September 2023 was prepared for the proposed redevelopment works by Tim Hill Heritage Management & Planning Pty Ltd (**Appendix C**). The SOHI



provides an assessment of the heritage values of the Grafton Correctional Centre and the proposed works and considers any potential impacts on the heritage values of the site. With regards to whether the proposed works will have a significant material impact on the heritage values of the Grafton Correctional Centre site the following comments were provided:

- *The degree of change is greater than would be permissible under the S57(2) exemptions, however the modifications are not a 'major work' as they do not involve significant demolition of the structural/ external form of the buildings - as such the degree of change is assessed as being 'minor-moderate';*
- *The Proposed Works are within a section of the SHR site which have been assessed as not having a high or significant contribution to the heritage values of the Old Gaol - the degree of adverse impact to the heritage values of the Grafton Correctional Centre are 'minor';*
- *The overall scale of impact to the heritage values of the Grafton Correctional Centre SHR site are assessed as "Minor adverse impact to state heritage significance".*

The SOHI considered it unlikely that the former correctional centre would be required to support the function of the new correctional facility. Furthermore, the layout of the existing structures restricts the number of available options for reuse in a modern context, as the current buildings are generally not suitable for reuse as a private sector industrial, commercial, retail or hospitality complex. Therefore, reuse of the structures to provide support services to the Grafton Base Hospital during its redevelopment is considered a reasonable alternative use, as the works will be substantially restricted to the internal layout. Furthermore, it is not considered that the layout of the existing structure meets the design requirements of modern government workplaces or could support future workplace needs without significant renovations.

A Conservation Management Plan (CMP) prepared for the Grafton Correctional Centre requires adaptive re-use options for the site to be developed with "close reference" to the CMP to ensure that the significance of the site is retained. The SOHI considered the proposed works to be consistent with the acceptable actions prescribed by the CMP for the site "as they will ensure the building is used and maintained."

The following is also noted in relation to matters for consideration identified in the Guidelines for Statement of Heritage Impact:

- The Proposal includes the demolition of internal walls, doors and amenities. The building fabric subject to demolition is not assessed as being of moderate or high significance in the CMP and the layout does not impact on the former Grafton Gaol site which primarily contributes to the heritage significance of the site. The renovations and internal fit-out will be generally sympathetic to the character and architecture of the existing building as the functional use is by a government agency.
- The proposed works do not affect the primary views of the Old Grafton Gaol.
- The proposed use will extend the life of the building and the continued use by a government agency preferable to use by a private sector tenant or occupier from industrial, commercial, retail or hospitality.
- There will be no substantial change to the curtilage of the Grafton Correctional Centre, other than the removal of the security doors at the former visitor entrance which will provide a view through the walls to the main entrance of Block A.
- The entrance and Block A are partially sited on an area identified as the Deputy Superintendents home, however the works do not include significant changes at or below ground level that would damage an archaeological site, should it exist.
- It is not considered that the proposed works will result in significant cumulative impacts as the works are located in a portion of the Grafton Correctional Centre which is not identified as part of the primary heritage value of the site- being the Old Grafton Gaol.

- Three murals painted by an infamous criminal on internal brick walls cannot be easily removed or relocated. If they cannot be retained, opportunities and methods to capture these murals, such as archival photographs, should be explored.

The SOHI found that the proposed works involving the Arthur Street Gatehouse and Block A and B would not have a significant impact on the heritage values of the Grafton Correctional Centre heritage site as, other than the new Link Bridge, they primarily involve the demolition of internal structures and non-significant fabric. The SOHI concluded that:

*The renovations are required to update amenities and to provide a layout that meets the support requirements of the Grafton Base Hospital during its redevelopment. The Proposed Works are in accordance with principles and policies of the Grafton Correctional Centre CMP (NBR Architecture 2021) and are assessed to be below the threshold of material change for items on the SHR (Heritage NSW 2020).*

## Conclusion

The Proposal requires the removal of a juvenile *Ficus Hillii* located near the entry to the Arthur Street Gatehouse and an *Schefflera actinophylla* within the Gaol forecourt. These trees are not considered to be a heritage planting and is not associated with any of the original fabric.


Specific heritage controls were not required in the SOHI for the demolition and renovation works as the works were determined to not affect any structures identified as having a moderate or high heritage significance.

In relation to archaeological values the proposal involves very little ground disturbance, however the SOHI recommended an unexpected finds procedure should be put in place in relation to the potential removal of concrete slabs. It also provided the following recommendations:

1. If the footings of former buildings or heritage items relating to the former Superintendent dwelling are identified in the ground, the following procedure should apply:
  - a. stop work and establish a minimum 10 m<sup>2</sup> exclusion/ no work area;
  - b. complete a preliminary record in accordance with standard project incident reporting/ response procedures;
  - c. engage a qualified archaeologist to undertake a preliminary assessment of the find and to provide an initial management response for the find;
  - d. in the event that the finds are determined to meet the definition of a relic under the **Heritage Act** there is a responsibility to notify the NSW Heritage Council/ Heritage NSW of the site, and;
  - e. works may only recommence following additional research and, if necessary, an appropriate approval under the Heritage Act.

It is additionally recommended that the unexpected find procedure for archaeological sites, and the plan of archaeological sensitivity from the CMP (Figure 14), is included in the contractor induction.

2. The visitor area (Block A- Level 1) includes three murals that are subject to a specific policy in the CMP (see section 3.6 and 5.3.3). The murals are not consistent with the proposed interior design and the back story of the murals is not consistent with the future use of this building as a training and conference area.
  - The Marlin mural is located on a wall subject to demolition to provide for a kitchenette.
  - The cougar mural is located on a wall which will be demolished for the fire escape.
  - The sunset over the water mural will be covered by the proposed new lift.



These murals are painted on brick and will not easily be removed without damaging them. The management recommendation is to undertake archival recording using a high-resolution digital camera with the prints being retained in the main Gaol site with the remainder of the Leonard Lawson collection.

## 5.9 Noise and Vibration

ARUP Australia Pty Ltd were engaged by Health Infrastructure to assess the acoustic impacts from Stage 1 – Enabling Works for Grafton Base Hospital which is attached as **Appendix N**. The Stage 1 works generally include refurbishment of the former correctional centre site, installation of services and decanting activities.

### 5.9.1 Surrounding Land Uses and Existing Noise Environment

The development sites are located in an established residential area of Grafton. The acoustic assessment identifies the nearest sensitive receivers as 14 residential properties located south-east of the existing hospital site and acquisition site:

- Seven properties on the northern side of Queen Street between 203 – 215 Queen Street, Grafton.
- Seven properties on the southern side of Queen Street between 186 – 200 Queen Street, Grafton.

### 5.9.2 Construction Noise

The ARUP Acoustic assessment identifies the equipment and plant to be used for the Stage 1 works to consist of:

- Delivery trucks.
- Hand tools.
- Elevated work platforms.
- Franna crane.
- Manual lifting/ moving equipment.


The small scope of works and assumed equipment would likely result in minimal noise and vibration impact.

### 5.9.3 Construction Noise Impacts

Based on the relatively minor scope of proposed works, equipment, and plant to be used for this stage of works would be of minimal noise and vibration impact. As the refurbishment works are largely contained within the interior of the buildings this will lessen noise and vibration impacts on the nearest residential receivers, located approximately 80 m from the refurbished correctional centre buildings.

The decanting operations, which would include use of manual lifting and moving equipment and vehicles to transport hospital property, would be undertaken progressively as per the staging plan across the existing and acquired site. It is not anticipated that these works would result in noise impacts exceeding that of normal hospital operations.

Block B is located approximately 90 m north of the original 1893 Gaol buildings fronting Hoof Street. Given this distance from the nearest work site, and considering the minimal noise and vibration generated by the small scale works and type of plant to be used, for mostly internal works, the proposed works are not anticipated to damage any heritage buildings because of vibration impacts. However, should any vibration intensive work be planned close to any listed heritage structure (i.e., vibratory rollers exceeding six tonnes, large hydraulic hammer etc), it is recommended that a review of



minimum offset distances should be conducted prior to work commencing, or different construction methods with lower vibration levels used where feasible and reasonable.

#### **5.9.4 Construction Hours**

It is assumed that the proposed works would be undertaken during standard hours as follows:

- Monday to Friday 7 am to 6 pm.
- Saturday 8 am to 1 pm.
- No work on Sundays or public holidays.

#### **5.9.5 Operational Noise**

The scale and nature of activities associated with the use of the existing buildings within the former Correctional Centre complex for office space/ education facilities, including air conditioning units, are not anticipated to result in noise exceeding acceptable levels. Furthermore, the former Gaol site is located behind high, thick; brick walls and noise levels are not anticipated to exceed background levels associated with the local road network.

#### **5.9.6 Conclusion**

Demolition and construction works will be temporary and intermittent, and the level of noise generated is likely to not be unacceptable in the surrounding environment. Minor and temporary noise impacts can be managed through the implementation of standard mitigation measures.

The Acoustic assessment concluded noise impacts to the surrounding area and sensitive receivers are expected to be minimal for the Stage 1 – Enabling works. Further assessment would be undertaken for the subsequent early works (demolition) and main works stages still to come.



## 5.10 Visual Impact

### 5.10.1 Existing Environment

Both sites are highly developed as a result of their use as a hospital and former correctional facility. In the case of the former Gaol complex, the development site is located behind high, brick walls and mature street trees. Block A and B are not visible from Arthur or Queen Streets. The hospital site is located on the northern side of Arthur Street.

### 5.10.2 Potential Impacts

Visual changes resulting from the Proposal include:

- The removal of the main doors to the Arthur Street Gatehouse.
- The removal of one street tree and one internal tree.
- Minor temporary ground disturbance as a result of the construction works.
- The presence of construction staff, plant and equipment within the works areas during the construction period.

Block A and B are within the former Gaol site and are not visible from the street. The new link bridge will be the same height and therefore not visible from outside the site. The removal of the main entry doors and glass bricks from the Arthur Street Gatehouse will result in a minor visual change which will open the space up to the street front and allow for a view of Block A and the internal lawns and the mature trees.

The Arboricultural Impact Assessment notes that the removal of the small fig tree along Arthur Street will enhance visibility into the Gaol site. A further 23 trees will be retained, including 18 mature street trees fronting the Gaol site. The Umbrella tree to be removed, is located within the Gaol site behind the walls and will not be visible from the street.

There may be minor temporary short-term visual impacts experienced in the immediate vicinity of the site due to the construction/ demolition works, the resulting ground disturbance and presence of contractors/ equipment at the site during construction. However, these visual impacts are largely restricted to within the sites. Existing landscaping at both sites will be maintained, except for the two trees discussed above. Given the small scale and the mature plantings along the wall, their removal is considered to be a minor impact.

There will be minor visual changes as a result of the improvements to pedestrian and parking facilities. However, these works are necessary to improve pedestrian safety and would not be unexpected or out of context within the streetscape.

Once construction works are complete, the visual impact will be minor and consistent with the existing facilities.





## 5.11 Services

Arup Australia Pty Ltd has addressed utility infrastructure services for the proposed Grafton Base Hospital Redevelopment (refer **Appendix O**). The following information provides an outline of existing infrastructure and the proposed works.

### 5.11.1 Electrical

The former Gaol site is currently supplied via a low voltage connection from an adjacent property's private infrastructure. This is the result of the recent subdivision and is not compliant to the NSW Service Installation Rule or Essential Energy standards. The adjacent lot is also supplied by an incoming consumer mains which reticulates across the former Gaol site. The consumer mains do not have a dedicated easement associated with it, however an "Easement for services" has been applied across the "whole of lot". It is understood that Essential Energy were consulted by Health Infrastructure, the landowners and planning consultants during the lot subdivision process and are aware of this arrangement. The adjacent lot is supported by the post mounted transformer and undergrounded consumer mains, positioned along Arthur Street outside of the site boundary.

The development requires a dedicated incoming utility supply to comply with NSW Service Installation Rule and the local utility company requirements. To assess the ability of the surrounding electrical services infrastructure to support the proposed development a preliminary load assessment was undertaken. Investigations indicate that the existing surrounding post mounted transformers do not have sufficient capacity or connections to service the site, and a new post mounted transformer will likely need to be established. The Acquisition Site will require a new incoming electrical supply to appropriately service the site. This requires augmentation of the local electrical utility infrastructure, which is likely to include:


- Installation of a new Essential Energy pole-mounted substation along Arthur Street to supply the site.
- Connection of new consumer mains via UGOH connection to the site (250A connection requiring an underground connection).
- Establishment of new utility meter and SPD within the site at Main Switchboard.
- No easements are required across the site as all HV cabling is undertaken outside of the site boundary.
- Existing utility post mounted transformers retained in place to continue supporting other customers.

Based on the desktop assessment the local post mounted transformers adjacent the site do not have available capacitor or connections for a new feed into the Acquisition Site, and therefore a new Post Mounted transformer is to be established connected into the existing 11kV Overhead network along Arthur Street.

### 5.11.2 Communications

NBN and Telstra infrastructure is shared and reticulate along the Arthur Street and Queen Street edge of the site boundary. No access chambers are positioned immediately outside of the site boundary along Arthur Street and there are currently no existing dedicated lead-ins from any communications provider into the acquisition site. It is proposed that new lead-in cabling will be provided from the local service providers to support the site. In-ground lead-in conduits will reticulate to a new Communications Room.

As the former Correctional Centre site ICT infrastructure is to form an extension of the existing ICT network located across the Grafton Base Hospital Campus, a private ICT connection is proposed to



enable linking of ICT systems. Plans provided with **Appendix B** detail the proposed arrangement which includes in-ground conduits to be positioned within the public road, providing connection across Arthur Street to the two sites.

### **5.11.3 Sewer**

There is an existing utility 375 mm concrete sewer along Arthur Street currently servicing the Gaol and the acquired site (i.e., Lot 2 DP1276261). There is also a 150 mm sewer along Hoof Street. The acquisition site has its own connection to the utility sewer.

It is proposed to reuse the existing buried private sewer network and existing connection to the Arthur Street utility sewer. No utility upgrades are required. Discussions with Clarence Valley Council indicate that this arrangement will be satisfactory.

The requirements of AS 3500.2 Section 3.15 for sewer requirements in areas affected by flooding have been discussed with Clarence Valley Council. Council has confirmed that they do not require a pumping station or a reflux valve to be included in the design, or a performance solution to be developed. The existing buried sewer system will be utilised for the refurbishment of the buildings.

### **5.11.4 Water**

There is an existing 250 mm utility water main along Arthur Street and a 100 mm water main along Queen Street. The former Correctional Centre site is currently supplied via a water connection from the Queen Street water main.

A new water meter, separate to the Gaol site, has recently been installed along the northern site boundary supplied from the Arthur Street water main. The suitability of this connection to supply the old Gaol site buildings requires confirmation in the next design stage pending confirmation of the load of the refurbished buildings, however it is intended to use this connection to ensure the lots are provided with separate meters.

Clarence has confirmed that the Arthur Street water main, from which the new water connection has been made, is suitable to supply the site. No utility upgrades are required.

### **5.11.5 Gas Supply**

There are no Natural Gas utility services present across the Acquisition Site. A legacy private LPG supply reticulates in-ground across the site. No new or augmented Natural Gas utility services are required across the Gaol site as part of the proposed works. The legacy private LPG in-ground pipework reticulating across the site will be capped off and made redundant, ensuring separation of private services between adjacent lots.

### **5.11.6 Fire Requirements**

There is an existing fire water supply from the Arthur Street water main, which connects to a Fire Brigade Booster Assembly along Arthur Street which serves the Gaol and parts of the acquired site. A new connection from the Arthur Street water main for fire-fighting purposes is proposed to serve the acquisition site. A new fire brigade booster is proposed to be installed along Arthur Street.

The following enabling works are required:

- Provide the new building with a dedicated hydrant system and new hydrant booster assembly.
- Disconnect the hydrant system from the existing main institutional system.

- Provide the building with a standalone fire detection system. Disconnect from existing Gaol detection system if required.

Pressure and flow test results provided for the water main in Arthur Street, to which a new connection is proposed, confirm that there is sufficient pressure and flow in the main such that hydrant pumps and tanks will not be required. No utility upgrades are required.

#### 5.11.7 Mechanical Services

There are no Mechanical utility services present across the Gaol Site, including Medical Gases or Pneumatic Tube. No new Mechanical utility services are required across the site as part of the proposed works. No public or privately held Mechanical utility infrastructure will be impacted.

## 5.12 Waste Management

Consistent with the type and scale of development proposed, waste generated as a result of the proposed works would be minimal, primarily consisting of:

- Construction/ demolition and building waste.
- Packaging and general waste.
- Sediment spoils from minor earthworks.

The works will be undertaken to ensure minimal impacts are generated from waste material produced on-site by ensuring that all waste is collected and disposed of or recycled in accordance with legislative waste disposal protocols and Environment Protection Authority guidelines. No materials will be used in a manner that poses risk to public safety. The Proposal will generate waste products in the form of demolition materials and vegetative matter. Any waste therefore would be able to be managed onsite and where necessary, either reused on site (e.g., soil) or appropriately disposed of at an approved waste management facility in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

In accordance with the requirements of C25 of Council's DCP a Waste Management Plan (WMP) has been prepared and forms part of this SEE (see **Appendix Q**).

Although unlikely, any hazardous materials, including asbestos containing material, would be handled, managed, transported, and disposed of according to applicable regulations, including Work Health and Safety (WH&S) and EPA waste protocols.

#### 5.12.1 Safeguards and Mitigation Measures

- Management measures within the Waste Management Plan attached as **Appendix Q** to this SEE shall be implemented throughout the works.
- Any waste or materials that are transported off-site shall be transported to an approved waste management facility, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- All hazardous materials handling, transportation and disposal will be undertaken by a licensed contractor in accordance with relevant NSW Legislation and Australian Standards. All hazardous materials will be disposed of at a suitably licenced waste facility. Records of all licences, notifications, approval, and permits will be obtained by the relevant contractor. Asbestos transporters and facilities receiving asbestos waste must report the movement of asbestos waste to the Environment Protection Authority (as required).

- The generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) shall be undertaken in accordance with the requirements of the Environmental Protection Authority and WorkCover NSW (as required).
- Evidence of waste disposal such as weighbridge dockets and invoices shall be retained.
- Demolition waste shall be stored within the site and not within public areas such as footpaths, public and/ or road reserves.
- Adequate measures shall be implemented to prevent litter from being blown from the site.
- The working areas will accommodate bins and other waste storage structures as required.
- At the completion of demolition works the development site shall be left clear of waste and debris.

### 5.13 Building Code of Australia and Disability Discrimination Act

A BCA and DDA Assessment Report was prepared by Blackett Maguire + Goldsmith (BM+G) and is attached as **Appendix P**. The aims of the report are to undertake an assessment of the proposed development against the Deemed-to-Satisfy provisions of the BCA and DDA and identify matters that require plan amendments to achieve compliance with BCA and DDA. However, the report acknowledges no assessment has been undertaken with respect to the *Disability Discrimination Act 1992* (DDA), and the building owner needs to be satisfied that their obligations under the DDA have been addressed.

The report has provided a due diligence review of existing buildings associated with the planned expansion of the existing Grafton Base Hospital Redevelopment against the Building Code of Australia 2022 (BCA) And Disability (Access to Premises – Buildings) Standards 2010. The report has focused on the proposed Acquisition site which is to be refurbished into education and administration offices and staff accommodation buildings.

It is considered that the proposed building works can achieve compliance with the BCA subject to resolution of matters identified in the report. The assessment has identified key compliance issues that require further resolution, either by way of fire engineered Performance Solutions or plan amendments prior to the BCA Certification stage.

### 5.14 Development and Cumulative Impacts

Section 4.15 of the EP&A Act requires consideration of the potential impacts of the development. The potential impacts of the development are identified and discussed throughout Section 5 of this report. This report concludes that the proposed development will not result in any significant environmental or amenity related impacts. Short-term physical construction impacts would be minor and can be adequately addressed by way of management controls related to soil, stormwater, and construction noise management.

It is possible that the activity would add to a few cumulative impacts in a minor way, including resource consumption, generation of greenhouse gas emissions and noise from the temporary construction activities. However, these would be relatively minor and temporary; they do not constitute significant or unmanageable matters. No unreasonable or detrimental cumulative impact would occur.

### 5.15 Ecologically Sustainable Development

The Proposal has also been assessed against the Ecologically Sustainable Development (ESD) principles outlined in Schedule 2 of the EP&A Regulation 2021 which is summarised below.





### 5.15.1 Precautionary Principle

Section 193 of the EP&A Regulation 2021 states that *“the precautionary principle is that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.”*

In the application of the precautionary principle, public and private decisions should be guided by:

- (a) *“careful evaluation to avoid, wherever practicable, serious, or irreversible damage to the environment; and,*
- (b) *an assessment of the risk-weighted consequences of various options”.*

In the case of the Proposal, the precautionary principle has been applied in the ecological assessment and this SEE. Potential environmental impacts of the Proposal would be minimised through the safeguards outlined within this SEE.

### 5.15.2 Intergenerational Equity

Section 193 of the EP&A Regulation 2021 defines inter-generational equity as *‘the present generation should ensure that the health, diversity, and productivity of the environment are maintained or enhanced for the benefit of future generations’*.

The Proposal would not significantly affect the viability of local or threatened species, or any EEC's or other environmental resources including water, soil, and air. Therefore, local environmental values would not be substantially adversely affected by the Proposal and would be maintained for future generations. ESD initiatives can be incorporated into the future development of the subdivision which could also help to deliver an environmentally responsible development, including reduced water and energy consumption. Overall, the socio-economic, safety and environmental benefits of the Proposal would occur with minimal potential environmental expense.

### 5.15.3 Conservation of Biological Diversity and Ecological Integrity

Section 193 of the EP&A Regulation 2021 requires *the ‘conservation of biological diversity and ecological integrity’*, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration.

The impacts to ecological integrity and conservation of biological diversity at the site have been thoroughly assessed as part of this SEE. No threatened species, endangered populations or EECs are likely to be significantly affected by the Proposal. No populations of native species are likely to be made locally rare or unviable as a result of the Proposal. Consequently, the ecological integrity and biological diversity would be maintained at the site.

### 5.15.4 Improved Valuation, Pricing, and Incentive Mechanisms

This SEE has undertaken an assessment of potential impacts and consequently has developed a set of mitigation measures and safeguards to ensure sound environmental practices and outcomes. The Proposal would be undertaken in a manner to ensure reasonable environmental outcomes.



## 5.16 Impacts of that Development

Potential key impacts of the proposed development have been considered at **Section 5**. The proposed development does not present any unsuitable impacts, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

## 5.17 Suitability of the Site

There is no change in site suitability because of the proposed development. The former Correctional centre site was selected as part of the Grafton Base Redevelopment due to its availability and proximity to the existing hospital. The site has availability to all services and is relatively unconstrained. Flooding has been investigated in accordance with Council's development controls and found to be satisfactory. The proposed Adaptive Reuse is compatible with the heritage status of the site and will ensure the site's long-term useability and ongoing protection.

## 5.18 DA Notification

The required level of notification of a development application is now contained within the Clarence Valley Council Community Participation 2022.

## 5.19 Public Interest

The GBH Redevelopment will improve capacity and models of care by providing contemporary spaces and associated clinical and non-clinical support services in a secure and safe environment for both patients and staff. The NSW Government has committed \$263.8 million to redevelop the Grafton Base Hospital which will deliver improved health services and facilities for the benefit of patients, various stakeholders, carers, staff, and the wider community of the Clarence Valley Local Government Area. The program will ensure that the Grafton Base Hospital continues to be an important community asset while providing a streamlined layout with improved clinical connections for critical services and facilities which are contemporary, resilient, fit for purpose and flexible.

The reuse of the old Gaol site will enable the ongoing future redevelopment of the hospital. The proposed redevelopment of the heritage listed former Correctional Centre is a sympathetic and positive use of the site. The new use will maintain the historically significant site for the ongoing benefit of the community.


Some temporary minor amenity impacts resulting from the proposal associated with noise and visual change may be experienced by adjoining residents, but overall, the proposal represents a benefit to the community.

## 5.20 Designated Development

The proposed development is not designated development.

## 5.21 Integrated Development

The Proposal does not trigger any of the Integrated Development provisions under Section 4.46 of the EP&A Act. A Section 60 Application under the Heritage Act has been obtained prior to this DA being submitted which obviates the need to follow the Integrated Development provisions (within Division 4.8



of the EP&A Act) under the *Heritage Act 1977* – approval in respect of the doing or carrying out of an act, matter or thing referred to in section 57(1). The Section 60 approval is attached at **Appendix C**.



## 6. Conclusion

The adaptive reuse of part of the former Grafton Correctional Centre is the first stage of the major redevelopment of the Grafton Base Hospital. The proposed works will facilitate the ongoing provision of health care services and provide contemporary facilities for the benefit of staff, carers, other stakeholders, and the wider Clarence Valley community. The Proposal involves the continuation of the existing Hospital and the adaptive reuse of the heritage listed former Correctional Centre. The development is considered an appropriate use for the site and to be a positive outcome that will enable the long-term management of a heritage site.

Works associated with the development would be small-scale and would be undertaken in accordance with standard construction management measures and any conditions of consent. The proposal is acceptable in the context, and the extent and nature of potential impacts will not have significant adverse effects on the locality, community, or the environment. There will be no significant adverse flood impacts from the proposal as a result of the proposed development and the works will not increase the flood risk levels of the Main Hospital site or surrounding development.

The proposal will have socio-economic benefits for the local community of Grafton and the wider Local Government Area and would be in the public interest.

The proposal is consistent with the relevant State Environmental Planning Policies, Clarence Valley Local Environmental Plan 2011, and the Clarence Valley Council Development Control Plan 2011. It is therefore considered that the subject application deserves favourable consideration by Clarence Valley Council and the Northern Regional Planning Panel.





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